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SALUS POPULI SUPREMA LEX ESTO

*"The welfare of the people shall be the supreme law."*



JOHN R. ASHCROFT  
SECRETARY OF STATE

# MISSOURI REGISTER

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August 1, 2017	September 1, 2017	September 30, 2017	October 30, 2017
August 15, 2017	September 15, 2017	September 30, 2017	October 30, 2017
September 1, 2017	October 2, 2017	October 31, 2017	November 30, 2017
September 15, 2017	October 16, 2017	October 31, 2017	November 30, 2017
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December 1, 2017	January 2, 2018	January 29, 2018	February 28, 2018
December 15, 2017	January 16, 2018	January 29, 2018	February 28, 2018
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January 16, 2018	February 15, 2018	February 28, 2018	March 30, 2018
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March 15, 2018	April 16, 2018	April 30, 2018	May 30, 2018
April 2, 2018	May 1, 2018	May 31, 2018	June 30, 2018
April 16, 2018	May 15, 2018	May 31, 2018	June 30, 2018

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at [www.sos.mo.gov/adrules/pubsched](http://www.sos.mo.gov/adrules/pubsched).

## HOW TO CITE RULES AND RSMO

### RULES

The rules are codified in the *Code of State Regulations* in this system–

Title		Division	Chapter	Rule
3	CSR	10-	4	.115
Department	<i>Code of State Regulations</i>	Agency Division	General area regulated	Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation, for example, 3 CSR 10-4.115 NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

### ***Code and Register on the Internet***

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is [www.sos.mo.gov/adrules/csr/csr](http://www.sos.mo.gov/adrules/csr/csr)

The *Register* address is [www.sos.mo.gov/adrules/moreg/moreg](http://www.sos.mo.gov/adrules/moreg/moreg)

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and Transportation  
Commission  
Chapter 3—Utility and Private Line Location and  
Relocation**

**PROPOSED AMENDMENT**

**7 CSR 10-3.010 Location and Relocation of Utility Facilities on State Highways.** The Missouri Highways and Transportation Commission is amending sections (1), (3), (4), (5), (8), and (9), deleting section (6), and renumbering as necessary.

*PURPOSE: This amendment defines when a permit to access commission right-of-way is required to locate or relocate a utility facility, removes language regarding pavement cutting, removes language referring to approved materials for underground facilities and replaces with new language for carrier and encasements, removes*

*unnecessary, restrictive words, corrects the number of Department of Transportation districts from ten (10) to seven (7), clarifies the address of the commission to request permit applications, deletes requirements for permits to work on utility facilities for emergencies, updates material that is incorporated by reference in the rule and other changes, removes material requirements for underground utility facilities in the rule that will instead be set forth in the commission permit that is issued.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

**(1) Application.**

(B) Except as described in this rule, all work to be performed on right-of-way of the state highway system in connection with the location, relocation, or maintenance of utilities, and where the roadway, shoulders or right-of-way will be affected by the work, must be done only under a permit or agreement to be issued **prior to the commencement of said work** by authority of the Missouri Highways and Transportation Commission **and that specifies the nature of the work to be performed**. Application for these permits may be made on forms provided for that purpose *[and shall state specifically the nature of the work to be performed. A deposit may be required to insure completion in accordance with the permit issued]*. Applications for permits may be obtained at any of the *[ten (10)] seven (7)* district highway offices of the commission, **Missouri Department of Transportation's website located at: <http://modot.mo.gov/design/UtilityResources/Permits.htm>**, or by requesting the applications from the office of the Missouri Highways and Transportation Commission at **the Missouri Department of Transportation Building, PO Box 270, Jefferson City, Missouri 65102, or by calling (573) 751-2551**. *[Replacement of individual poles and attachments or other existing utility facilities where only spot excavation is required and which excavation is not between the shoulder lines of the highway may be considered as routine maintenance, and a permit will not be required, provided the company involved abides by all parking and access regulations contained elsewhere in this policy for the type of highway on which the maintenance work is to be performed. Where parking and access violations occur or if the right-of-way is left in an unsatisfactory condition, the offending utility owner may be required to secure a permit for future maintenance work on the right-of-way. The policies prescribed in this rule are intended to reflect general policies of the commission and specific application should be made and permit obtained for the contemplated work rather than to rely fully upon these rules.]*

(C) *[In the event that utility lines or facilities are so damaged as to constitute an emergency situation directly affecting or endangering traffic on the highway or public health or safety, access is permitted to the damaged facility by leaving the through roadways at such points as may be necessary to effect emergency repairs, provided immediate notice is given to the State Highway Patrol and the commission's district engineer.]* When emergency operations work is necessary, the damaged facility may be accessed immediately and without a permit by leaving the through roadways at such points as may be necessary to effect emergency repairs, provided immediate notice is given to the Missouri State Highway Patrol and the commission's district engineer or his/her designee for the district wherein the

work will be performed, and a permit for emergency operations is requested immediately upon discovery of the need for emergency operations. A permit for emergency operations work is to be obtained as soon as practical, but in no event later than two (2) working days after the emergency operations work has commenced. For the purposes of this subsection (1)(C), emergency operations includes, but is not limited to, unplanned work in response to utility lines or facilities being so damaged as to constitute an emergency situation directly affecting or endangering traffic on the highway or public health or safety.

(D) This *[policy]* rule does not apply to utility lines for services to facilities required for operating the highway on the state highway system.

(3) Definitions and General Information.

(C) Encasement. Encasement as used in this policy means the placing of an installation around and outside of an underground facility consisting of a larger conduit which will permit the removal and replacement of the facility. An alternate to the conduit type encasement would be reinforced concrete poured around the facility. Acceptable materials are described in *[sub]section (5)(C)*.

(E) Minimum cover for new underground utilities *[shall be]* is: forty-two inches (42") for all water lines (parallel and crossings); forty-two inches (42") for fiber optic cable (crossings, encased in rigid conduit); seventy-two inches (72") for fiber optic cable (crossings encased in polyethylene (PE) pipe); thirty inches (30") for direct burial and in-trench fiber optic cable (parallel); twenty-four inches (24") for all other direct burial cable (parallel); seventy-two inches (72") for uncased polyethylene (PE) gas pipe crossings under ditches and roadways but thirty inches (30") elsewhere and thirty inches (30") for all other (such as, but not limited to, gravity sewers, force sewers and electric) underground utilities (parallel and crossings).

(H) Scenic enhancement areas. Scenic enhancement areas *[shall]* include areas acquired or so designated as scenic strips, overlooks, rest areas, *[recreation areas]* and all rights-of-way of highways adjacent thereto and the rights-of-way of highways which pass through public parks, recreation areas, wildlife or waterfowl refuges, and historic sites as described under Title 23 United States Code (U.S.C.), section 138, which is incorporated by reference and made a part of this rule, as published by the United States Superintendent of Documents, 732 N Capitol Street NW, Washington D.C. 20402-0001, website: <http://bookstore.gpo.gov>, on July 1, 2016. This rule does not incorporate any subsequent amendments or additions.

(I) Utility. Privately, publicly or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, cable television, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage or any other similar commodity, including any fire or police signal system or street lighting system which directly or indirectly serves the public and does not include privately-owned facilities devoted exclusively to private use. The term utility *[shall]* also means the utility company inclusive or any wholly owned or controlled subsidiary. The term utility includes those facilities used solely by the utility which are a part of its operating plant. The term also includes those utility type facilities *[which are]* owned or leased by a government agency for its own use or otherwise dedicated solely to governmental use.

(K) Vertical clearance for overhead crossings. The vertical clearance of new or existing overhead installations *[shall]* is not *[be]* less than the current minimum requirements of the *National Electric Safety Code*, but in no case less than eighteen feet (18'). The *National Electric Safety Code* is incorporated by reference and made a part of this rule as published by the Institute of Electrical and Electronics Engineers-Standards Association, 501 Hoes Lane, 3<sup>rd</sup> Floor, Piscataway, New Jersey 08855, website: <http://standards.ieee.org>, on August 1, 2016. This rule does not incorporate any subsequent amendments or additions to these standards.

(4) Location and Relocation of Utility Lines.

(A) Interstate System or Other Freeways.

1. General policy.

A. All utility installations on highways of the interstate system or other freeways shall be installed, serviced, and maintained without entering or leaving the through-traffic roadways and ramps except at points approved by the department for that purpose and without parking any equipment or storing materials upon the medians, through roadways and ramps, or shoulders of the roadways.

B. New service connections to existing parallel facilities shall be permitted only where an outer roadway exists and then only where access is permitted by the commission.

2. Roadway crossings of utilities.

A. Overhead crossings are permitted for power transmission and distribution lines and for multiple circuit communication lines where an underground installation is not economically feasible. Supports for existing overhead crossing facilities may be located on the right-of-way near the right-of-way line. Supports for new overhead crossing facilities may be located on the right-of-way near the right-of-way line where an outer roadway exists and shall be located off the right-of-way where no outer roadway exists. Overhead service crossings are not permitted except as described in paragraph (4)(A)3.

B. Underground utility crossings shall be continuously encased under the through roadways, medians, ramps, and shoulder areas with the casing extending to the toe of the fill slopes or to the ditch line, and where installed by open trench through unpaved areas, have detector tape placed approximately one foot (1') above the encasement. Encasement will be used under high type outer roadways. Manholes or vent pipes will be located at the right-of-way line or adjacent to the outer roadway. Additional encasement requirements include the following:

(I) In curb sections, *[the encasement shall]* extend outside the outer curb of the roadways a distance equal to the depth of the encasement at the curb line. *[Encasement]*

(II) *[f]*For fiber optic cable, *[shall]* extend from within six feet (6') of one right-of-way line to within six feet (6') of the other right-of-way line. *[A detector tape shall be placed approximately one foot (1') above the encasement where installed by open trench through unpaved areas. Manholes or vent pipes shall be located at the right-of-way line or adjacent to the outer roadway. Encasement shall be required under high type outer roadways.]* Exceptions may be made for encasement as follows: non-fiber communication or electric cables installed in ducts; welded steel pipelines carrying gaseous or liquid petroleum products provided they are cathodically protected against corrosion, triple coated in accordance with accepted pipeline construction standards, and meet the applicable material requirements; natural gas distribution pipe (nominal six inches (6") diameter maximum) of polyethylene (PE) plastic, traceable, installed by a horizontal bore method at a minimum depth of seventy-two inches (72") under ditches and roadways, constructed in accordance with and meeting applicable material requirements; gas service connections of steel or copper, protected and constructed in accordance with and meeting applicable material requirements; and water service connections and crossings of copper two inches (2") inside diameter or less and meeting applicable material requirements.

3. Service crossings may be permitted in isolated cases for residential or commercial establishments when the denial of these crossings would require construction of more than twelve hundred feet (1,200') of utility line to provide the service. Main or distribution line crossings shall be required to serve a general area other than isolated cases.

4. Parallel installations on the right-of-way *[shall]* may be permitted only where an outer roadway exists, provided that poles are within two feet (2') of the normal right-of-way line and underground facilities are within six feet (6') of the normal right-of-way line, and provided that the facility can be installed and maintained between the outer roadway and the right-of-way line, except that—

A. Existing overhead or underground facilities that parallel an

existing roadway which will be incorporated into the completed highway as an outer roadway may remain in place if all maintenance and service can be performed from an outer roadway and *[their]* the existing location does not interfere with construction, maintenance, or operation of the completed highway; *[and]*

B. Existing parallel facilities along an existing road which will be incorporated into the completed highway, except as permitted in subparagraph (4)(A)4.A., shall be relocated to the normal right-of-way line—poles to be within five feet (5') and underground installations within six feet (6') thereof.;

C. Existing telephone conduit systems with multiple ducts may be filled with any type of communication cable until full.; **and**

D. Underground facilities are expected to be buried within six feet (6') of sight distance right-of-way lines at roadway intersections unless granted a variance *[to this policy]*. Overhead facilities may be allowed to span intersecting roadways with sight distance triangles (SDTs) provided the poles, or supports, are located outside the SDT.

5. *[Careful consideration shall be given to the location of guys, anchors, braces and other supports. Generally, good design procedure will provide that these appurtenances/ Guys, anchors, braces, and other utility supports will be located at right-of-way jogs, along intersecting road right-of-way or at other similar acceptable locations, so that encroachment is held to an absolute minimum.*

6. Existing gravity trunk sanitary sewers *[shall]* **may** be considered individually and removed or left in place, contingent upon age, condition, feasibility of moving, and whether service and maintenance can be performed without entering or leaving the through roadways and ramps except at points provided for that purpose or without parking any equipment or storing materials upon the median, through roadways, ramps, or shoulders. Encasement for existing trunk sanitary sewer crossings may be required for questionable condition, protection during construction or heavy fills. Manholes are to be relocated to the right-of-way lines or adjacent to an outer roadway.

7. Encasement is not *[required]* **necessary** for new trunk sanitary sewer crossings of vitrified clay, reinforced concrete or cast iron except when installation procedures would produce voids in the roadbed, heavy fills, or installations under pressure. Manholes are to be located off the right-of-way where possible or adjacent to an outer roadway.

8. Interchanges and separations.

A. No facilities will be permitted within the limits of *[interchanges of cloverleaf or directional design]* **an interchange separation** where planned or existing.

B. Utility installations within the limits of *[a diamond type]* **an interchange or separation** will be permitted only along the minor road, provided that all construction, service, and maintenance can be performed from the minor road. Manholes and poles shall be located beyond the ramp termini.

9. Structures.

A. No utility facilities will be permitted in or on a structure carrying an interstate road or other freeway.

B. No utility facilities will be permitted in or on a structure carrying a minor road over an interstate road or other freeway except wires and then only when no other practical means exist for crossing. All such crossings shall be by agreement *[and a charge will be made for the increased maintenance costs involved]*.

(B) High Type Roads (Limited but not Fully Controlled Access Right-of-Way).

1. General policy. All utility facilities shall be installed, serviced, and maintained without entering or leaving the highway except at approved access points, and without parking equipment and materials on the median, pavement, ramps, or shoulders, and without cutting or damaging the roadway surface or paved shoulders. New service connections to parallel facilities and service crossings shall be permitted only at access points granted by the commission.

2. Roadway crossings of utilities.

A. Overhead mainline crossings are permitted provided the supports are located **as near to** the right-of-way line **as possible**. New overhead service crossings may be permitted in isolated cases for residential or commercial establishments where the denial of such crossings would require the construction of more than twelve hundred feet (1,200') of utility line to provide the same service. Supports for service crossings shall be located **as near to** the right-of-way line as possible.

B. Underground utility crossings shall be continuously encased under the through roadways, median, ramps, and shoulder areas with the casing extending to the toe of the fill slopes or to the ditch line.; **and where installed by open trench through unpaved areas, have detector tape placed approximately one foot (1') above the encasement. Encasement will be used under high type outer roadways. Manholes or vent pipes will be located at the right-of-way line or adjacent to the outer roadway. Additional encasement requirements include the following:**

(I) In curb sections, *[the encasement shall]* extend outside the outer curb of the roadways a distance equal to the depth of the encasement at the curb line. *[Encasement]*

(II) *[If/For fiber optic cable, [shall]]* extend from within six feet (6') of one right-of-way line to within six feet (6') of the other right-of-way line. *[A detector tape shall be placed approximately one foot (1') above the encasement where installed by open trench through unpaved areas. Manholes or vent pipes shall be located at the right-of-way line or adjacent to an outer roadway. Encasement shall be required under high type outer roadways.]* Exceptions may be made for encasement as follows: non-fiber communications and electric cables installed in ducts; welded steel pipelines carrying gaseous or liquid petroleum products, provided they are cathodically protected against corrosion, triple coated in accordance with accepted pipeline construction standards, and meet the applicable material requirements; natural gas distribution pipe (nominal six inches (6") diameter maximum) of polyethylene (PE) plastic, traceable, installed by a horizontal bore method at a minimum depth of seventy-two inches (72") under ditches and roadways, constructed in accordance with and meeting applicable material requirements; gas service connections of steel or copper, protected and constructed in accordance with and meeting applicable materials requirements; and water service connections and crossings of copper two inches (2") inside diameter or less and meeting applicable material requirements.

3. Parallel facilities. Parallel installations on the right-of-way will be permitted provided that poles are within two feet (2') of the normal right-of-way line and underground facilities are within six feet (6') of the normal right-of-way line except—

A. Existing poles being relocated shall be **placed** within five feet (5') of the normal right-of-way line;

B. Existing overhead facilities that parallel an existing roadway which will be incorporated into the completed roadway may remain in place if all maintenance and service can be performed in accordance with provisions of paragraph (4)(B)1. and their existing location does not interfere with construction, maintenance, or operation of the completed highway;

C. Existing underground facilities (other than sanitary sewers) that parallel an existing roadway, which will be incorporated into the completed roadway, may be left in place where it is impractical to relocate the facility provided that maintenance and service be performed without cutting or damaging the pavement or interfering with the construction, maintenance, and operation of the highway;

D. Multiple facilities at intersections, existing steel pipe transmission and distribution facilities for gaseous petroleum products that parallel an existing roadway, which will be incorporated into the completed roadway, may be left in place subject to an agreement by the utility company **with the commission** that maintenance or service, and facility expansion will be performed without cutting or damaging the pavement or interfering with the construction, maintenance, or operation of the highway and provided that the facility is cathodically protected against corrosion and meets the applicable material requirements;

E. *[Careful consideration shall be given to the location of guys, anchors, braces and other supports. Generally, good design procedure will provide that these appurtenances/ Guys, anchors, braces, and other utility supports will be located at right-of-way jogs, along intersecting road right-of-way, or at other similar acceptable locations, so that encroachment is held to an absolute minimum;*

F. Existing telephone conduit systems with multiple ducts may be filled with any type of communications cable until full; and

G. Underground facilities are expected to be buried within six feet (6') of sight distance right-of-way lines at roadway intersections unless granted a variance to this policy. Overhead facilities may be allowed to span intersecting roadways with SDTs provided the poles, or supports, are located outside the SDT.

4. Existing gravity sanitary sewer mains will be considered individually and removed or left in place contingent upon age, condition, feasibility, or moving and whether service and maintenance can be performed without damaging the roadway surfacing. If an existing parallel gravity main is left in place within the limits of the paved surface, paved shoulder lines or curb lines, stub mains as required shall be laid between the sewer main and curb or shoulder lines for future service connections in each block. Manholes shall be relocated outside the traveled roadway. Encasement for existing gravity trunk sanitary sewer crossings may be required for questionable condition, protection during construction, heavy fills, or installations under pressure.

5. Encasement is not *[required]* necessary for new trunk sanitary sewer crossings of vitrified clay, reinforced concrete, or cast iron pipe except when installation procedures would produce voids in the roadbed, heavy fills, or installations under pressure. Manholes are to be located as near the right-of-way line as practical.

#### 6. Interchanges and separations.

A. No facilities will be permitted within the limit of *[interchanges of cloverleaf or directional design]* an interchange separation where planned or existing.

B. Utility installations within the limits of *[a diamond type]* an interchange or separation will be permitted only along the minor road provided that all construction, service, and maintenance can be performed from the minor road. Manholes and poles shall be relocated beyond the ramp termini.

#### 7. Structures.

A. No utility facilities will be permitted in or on a structure carrying a limited access high type road.

B. No utility facilities will be permitted **except by agreement with the commission that includes any fees for increased maintenance costs involved** in or on a structure carrying a minor road over a high type road except wires and then only where no other practical means exist for crossing. *[All such crossings shall be by agreement and a charge will be made for the increased maintenance costs involved.]*

#### (C) High Type Roads (Without Access Control).

##### 1. General policy.

A. All new facilities shall be installed and maintained without cutting or damaging the roadway surface or paved shoulders except that in the event that underlying rock formations or other obstructions are encountered that prevent boring or pushing operations, special permission may be granted for pavement cuts when the need is established.

B. Pavement cuts may be made by permit only. Permits will be issued only when it is impractical to otherwise service and maintain the facility.

##### 2. Roadway crossings of utilities.

A. Overhead main line and service crossings are permitted provided the supports are located near the right-of-way lines.

B. Underground facilities generally shall be continuously encased under the through roadways, median, ramps, and shoulder areas with the casing extending to the toe of the fill slopes or to the ditch line./., and where installed by open trench through unpaved

areas, have detector tape placed approximately one foot (1') above the encasement. Encasement will be used under high type outer roadways. Manholes or vent pipes will be located at the right-of-way line or adjacent to the outer roadway. Additional encasement requirements include the following:

(I) In curb sections, *[the encasement shall]* extend outside the outer curb of the roadway(s) a distance equal to the depth of the encasement at the curb line. *[Encasement]*

(II) *[f/For fiber optic cable, [shall] extend from within six feet (6') of one right-of-way line to within six feet (6') of the other right-of-way line. [A detector tape shall be placed approximately one foot (1') above the encasement where installed by open trench through unpaved areas. Manholes or vent pipes shall be located at the right-of-way line or adjacent to an outer road. Encasement shall also be required under high type outer roadways.]* Exceptions for encasement may be made as follows: non-fiber communication and electric cables installed in ducts; welded steel pipelines carrying gaseous or liquid petroleum products, provided they are cathodically protected against corrosion, triple coated in accordance with accepted pipeline construction standards, and meet the applicable material requirements; natural gas distribution pipe (nominal six inches (6") diameter maximum) of polyethylene (PE) plastic, traceable, installed by a horizontal bore method at a minimum depth of seventy-two inches (72") under ditches and roadways, constructed in accordance with and meeting applicable material requirements; gas service connections of steel or copper, constructed and protected in accordance with and meeting the applicable material requirements; and water service connections and crossings of copper two inches (2") inside diameter or less and meeting the applicable material requirements.

3. Parallel installations on the right-of-way will be permitted provided that poles are within two feet (2') of the normal right-of-way line and underground facilities are within six feet (6') of the normal right-of-way line except—

A. Existing poles, being relocated, shall be within five feet (5') of the normal right-of-way line;

B. Existing overhead facilities that parallel an existing roadway, which will be incorporated into the completed roadway, may remain in place if their existing location does not interfere with construction, maintenance, or operation of the completed highway;

C. Existing underground facilities (other than sanitary sewers) that parallel an existing roadway, which will be incorporated into the completed roadway, may be left in place where it is impractical to relocate the facility provided that maintenance and service can be performed without cutting or damaging the pavement or interfering with the construction, maintenance, and operation of the highway;

D. Multiple facilities at intersections, existing steel pipe transmission, and distribution facilities for gaseous petroleum products that parallel an existing roadway, which will be incorporated into the completed roadway, may be left in place subject to an agreement by the utility company that maintenance, service, and facility expansion will be performed without cutting or damaging the pavement or interfering with the construction, maintenance, or operation of the highway and provided that the facility is cathodically protected against corrosion and meets the applicable material requirements;

E. *[Careful consideration shall be given to the location of guys, anchors, braces and other supports. Generally, good design procedure will provide that these appurtenances/ Guys, anchors, braces, and other utility supports will be located at right-of-way jogs, along intersecting road right-of-way or at other similar acceptable locations, so that encroachment is held to an absolute minimum;*

F. Existing telephone conduit systems with multiple ducts may be filled with any type of communication cable until full; and

G. Underground facilities are expected to be buried within six feet (6') of sight distance right-of-way lines at roadway intersections unless granted a variance to this policy. Overhead facilities may be allowed to span intersecting roadways with SDTs provided the poles, or supports, are located outside the SDT.



4. Existing sanitary sewer mains shall be considered individually and removed or left in place contingent upon age, condition, feasibility of moving, and whether service and maintenance can be performed without damaging the roadway surfacing. If an existing parallel main is left in place within the limits of the paved surface, paved shoulder or curb lines, stub mains as required shall be laid between the sewer main and curb or shoulder lines for future service connections in each block. Manholes, where necessary, shall be relocated outside the traveled roadway wherever practical. Encasement for existing trunk sanitary sewer crossings may be required for questionable condition, protection during construction, heavy fills, or installations under pressure.

5. Encasement is not *[required]* **necessary** for new trunk sanitary sewer crossings of vitrified clay, reinforced concrete, or cast iron except when installation procedures would produce voids in the roadbed, heavy fills, or installations under pressure. Manholes are to be located as near the right-of-way line as practical.

6. Structures.

A. No utility facilities will be permitted in or on a grade separation structure except wires (communication, electric power, fiber, or metal) and then only where no other practical means exist for crossings.

B. No utility facilities shall be placed on any structure except by agreement *[and a charge will be made for the increased maintenance cost involved]*.

(D) Low Type Roads (Without Access Control).

1. Roadway.

A. Existing parallel surface installations interfering with construction, maintenance, or operation shall be relocated to within five feet (5') of the normal right-of-way line. Poles for new parallel surface installations shall be located within two feet (2') of the normal right-of-way line. Careful consideration shall be given to the location of guys, anchors, braces, and other supports. Generally, good design procedure will provide that these appurtenances be located at right-of-way jogs, along intersecting road right-of-way, or at other similar acceptable locations, so that encroachment is held to an absolute minimum.

B. Existing parallel underground installations interfering with construction, maintenance, or operation shall be relocated to as near the right-of-way line as practical. New parallel underground installations shall be located within six feet (6') of the normal right-of-way line. Existing telephone conduit systems with multiple ducts may be filled with any type of communication cable until full.

C. Existing overhead crossings that interfere with construction, maintenance, or operation shall be relocated with their supports as near the right-of-way line as is practical. New overhead crossing installations shall be located with their supports as near the right-of-way line as is practical.

D. Installation of underground utility crossings may be made by *[trenching half the roadway at a time]* **utilizing pavement cuts issued by permit. Permits will only be issued for pavement cuts when servicing and maintaining the facility by any other methods is impractical.** Encasement with detector tape placed **approximately one foot (1') above it**, as provided in *[sub/section (5)](C)*, *[shall be]* is required for fiber optic cable **that extends from within six feet (6') of one right-of-way line to within six feet (6') of the other right-of-way line, [except as allowed in subparagraph (5)(C) 1. C.,]** pressure lines except welded steel pipelines carrying gaseous or liquid petroleum products provided they are cathodically protected against corrosion and natural gas distribution polyethylene (PE) plastic pipe of nominal six inches (6") diameter maximum bored a minimum of seventy-two inches (72") below the ditches meeting the applicable material requirements, sewers, and drains when crossing under the roadway using polyethylene, polyvinyl chloride (PVT), thermoplastic, asbestos cement, or acrylonitrile butadiene styrene (ABS) pipe material. *[The encasement for fiber optic cable shall extend from within six feet (6') of one right-of-way line to within six feet (6') of the other right-*

*of-way line. A detector tape shall be placed approximately one foot (1') above the encasement.]*

E. Underground facilities are expected to be buried within six feet (6') of sight distance right-of-way lines at roadway intersections unless granted a variance to this policy. Overhead facilities may be allowed to span intersecting roadway with SDTs provided the poles, or supports, are located outside the SDT.

2. Structures.

*[A.]* No utility facilities will be permitted **except by agreement with the commission that includes any fees for increased maintenance costs involved in or on any structure or in or on a grade separation except wires (communication, electric power, fiber, or metal) and then only where no other practical means exist for crossings.**

*[B. No utility facilities shall be placed on any structure except by agreement and a charge will be made for the increased maintenance costs involved.]*

(E) Scenic Enhancement Areas.

1. **Above Ground Utility.** All existing **above ground** utility facilities within the limits of a scenic enhancement area *[requiring adjustment because of]* **impacted by** construction or reconstruction shall be *[placed]* **located** underground or relocated beyond the limits of the scenic enhancement area **unless such location or relocation is otherwise not authorized under this rule.** No new above ground facilities will be permitted. *[New underground facilities will be permitted provided they do not extensively alter or impair the appearance of the area.]*

2. **Underground Utility.** *[The requirements of this section will not permit the installation of utilities if prohibited by other sections of this policy]* **New underground facilities will be permitted provided they do not extensively alter or impair the appearance of the area.**

(5) **Approved Materials for Underground Utility Facilities (Other Than Cable) Including Carrier and Encasement).** Utility companies are allowed to use the types of material as a carrier and encasement for its facilities as expressly provided for in the respective permit issued by the department for any utility location, relocation, and maintenance work where the use of the material is contemplated.

*[(A) Water and Sewer Lines.*

1. *Copper meeting the requirements of ASTM Specification B 88-99, Type K.*

2. *Cast iron meeting Specification ANSI 21.6-1975 (AWWA C106-75) or ANSI 21.8-1975 (AWWA C108-75). Joints shall be mechanical or push on meeting Specification ANSI A 21.11-2000 (AWWA C111-00).*

3. *Ductile iron meeting Specification ANSI 21.51-1996 (AWWA C151-96). Joints shall be mechanical or push on meeting Specification ANSI A 21.11-2000 (AWWA C111-00).*

4. *Prestressed concrete cylinder pipe meeting ANSI/AWWA C301-99 for sizes sixteen inches (16") in diameter or larger.*

5. *PVT pipe for water transmission shall be of Type PVT 1120 material and shall meet the requirements of ASTM D-2241-00 or the latest revision thereof. For sizes one inch (1") and larger, dimensions shall not be less than specified for SDR 26 pipe. For three-fourths inch (3/4") size, dimensions shall not be less than specified for SDR 21 pipe. Pipe, fittings and couplings may have integral bell and ring-type joint or solvent-weld type joint. The owner shall furnish to the district engineer a certification by the manufacturer that the pipe supplied will conform to the specified requirements. This certification shall include substantiating test results representative of the pipe to be furnished.*

6. *Asbestos cement pipe shall meet the requirements of ANSI/AWWA C400-93 for Class 150 or Class 200 pipe, or*

the latest revision thereof, or ASTM C296-00, Type II, for Class 150 or Class 200 pipe or the latest revision thereof. Uncombined calcium hydroxide shall not exceed 1.0 percent. Couplings shall consist of an asbestos cement sleeve of the same composition as the pipe and two (2) rubber rings suitable in size and design for the pipe with which it is used. The rubber rings shall conform to the requirements of ASTM D-1869-95 (Reapproved 2000) or the latest revision thereof. The owner shall furnish to the district engineer a certification by the manufacturer that pipe and rubber rings supplied will conform to the specified requirements. This certification shall include substantiating test results, including crushing strength, representative of the pipe to be furnished.

7. Polyethylene (PE) plastic tubing for water transmission shall be PE 3406, SDR 9 with a minimum working pressure of one hundred sixty pounds per square inch (160 psi) and meeting the requirements of ASTM D 2737-99 or the latest revision thereof. Polyethylene plastic pipe for water transmission shall be PE 3406, SDR 7 with a minimum working pressure of one hundred sixty pounds per square inch (160 psi) and meeting the requirements of ASTM D 2239-99 or the latest revision thereof. The owner shall furnish the district engineer a certification by the manufacturer that the pipe will conform to the specified requirements. This certification shall include substantiating test results representative of the pipe to be furnished.

8. Polybutylene plastic tubing for water transmission shall be PB 2110, SDR 13.5, PR 160 psi; and shall meet the requirements of ASTM D 2666-96a or the latest revision thereof. Polybutylene plastic pipe shall be PB 2110, SDR 9, PR 250 psi; PB 2110, SDR 11, PR 200 psi; or PB 2110, SDR 13.5, PR 160 psi; and shall meet the requirements of ASTM D 3000-95a of PB 2110, SDR 7, PR 250 psi; PB 2110, SDR 9, PR 200 psi; or PB 2110, SDR 11.5, PR 160 psi; and shall meet the requirements of ASTM D 2662-96a or the latest revision thereof. The owner shall furnish the district engineer a certification by the manufacturer that the pipe will conform to the specified requirements. This certification shall include substantiating test results representative of the pipe to be furnished.

9. ABS composite sewer piping for gravity sewer installations shall meet the requirements of AASHTO M 264-92 (2000) (ASTM D 2680-95a) or the latest revision thereof. The owner shall furnish to the district engineer a certification by the manufacturer that the pipe supplied will conform to the specified requirements. This certification shall include substantiating test results representative of the pipe to be furnished.

10. PVT pipe and fittings for gravity water and sewer transmission shall meet the requirements of ASTM D 3034-00 SDR 35, ASTM F 789-95a, ASTM F 679-00 or ASTM D 2680-95a or the latest revision thereof. The owner shall furnish to the district engineer a certification by the manufacturer that the pipe and fittings will conform to the specified requirements. This certification shall include substantiating test results representative of the pipe and fittings to be furnished.

#### (B) Gas Lines.

1. Copper for gas shall meet with requirements of ASTM Specification B88-99 Type K or ASME B31.8-1999 or latest revision thereof.

2. Thermoplastic pipe for gas transmission shall conform to all of the requirements of the USA Standard Code for Pressure Piping, Gas Transmission and Distribution Piping Systems, ASME B31.8-1999. Thermoplastic pipe shall be polyvinyl chloride (PVT) Type II, Grade 1 (PVT 2110) or polyethylene Type II, Grade 3, (PE 2306), and shall conform to the requirements of ASTM D 2513-00. Dimensions shall not

be less than that specified in ASTM D 2513-00. The owner shall furnish to the district engineer a certification by the manufacturer that the pipe supplied will conform to the specified requirements. This certification shall include substantiating test results representative of the pipe to be furnished.

3. For bored installations polyethylene (PE) pipe grade PE 2406 or better may be used without encasement for gas distribution six inches (6") or less in diameter. This pipe and its components shall conform to requirements outlined in currently approved ASTM D 2512-95 specification Thermoplastic Gas Pressure Pipe, Tubing and Fittings, ASTM D 2683-98 specification Socket Type Polyethylene (PE) Fittings for Outside Diameter-Controlled Polyethylene Pipe and ASTM D 3261-97 specification Butt Heat Fusion Polyethylene (PE) Plastic Fittings for Polyethylene (PE) Plastic Pipe and Tubing. All pipe and components shall also conform to the materials qualification found in Department of Transportation Gas Division 49 CFR 192.59 and in 4 CSR 240-40.030(2)(D).

4. Welded steel pipe lines shall meet the requirements of ASME B31.1-2001 and ASME B31.8-1999 or ASME B31.4-1998 or latest revision thereof.

#### (C) Encasement.

1. Conduits permitted for encasement shall be new material or equivalent and shall conform to the following:

A. The requirements of the latest revision of the Missouri Highways and Transportation Commission Standard Specifications for—reinforced concrete culvert pipe; vitrified clay culvert pipe; cast iron pipe or ductile iron of the same class as used for carrier pipe; corrugated metal culvert pipe (corrugated metal culvert pipe is permitted for encasement only on roadways where current Missouri Department of Transportation design practices would permit its use as crossroad drainage structures); or corrugated metal sectional plate culvert pipe. (Corrugated metal sectional plate culvert pipe shall not be used unless it is impractical to use other approved types of encasement for new utility installations. When used, the voids around the outside of the corrugated pipe shall be grouted with an approved material); and

B. Other encasement material. Smooth wall, welded steel pipe with a minimum wall thickness will be permitted as follows:

Casing Diameter (inches)	Minimum Wall Thickness (inches)
6, 8, 10, 12, 14 & 16	.188
18, 20 & 22	.250
24 & 26	.281
28, 30, 32 & 34	.312
36, 38, 40 & 48	.344
less than 6	Standard wall pipe or .188 wall as preferred

C. Fiber optic cable may be encased in polyethylene (PE) conduit when it is placed at a minimum depth of seventy-two (72") below natural ground and is "traceable."

2. Encasement of facilities with reinforced concrete shall be with a minimum of six inches (6") of Class B reinforced concrete meeting Missouri Highways and Transportation Commission specifications. The steel reinforcing shall be in accordance with the requirements of the Missouri Highways and Transportation Commission specifications for an equivalent size of reinforced concrete culvert

pipe which would be specified under like conditions. A permissible option to this reinforcing steel requirement may be conventional deformed reinforcing bars placed as shown on the Missouri Highways and Transportation Commission standard drawings for box culverts of like size as a minimum.

(D) General. The type of material permitted for underground facilities other than that specified in this policy shall conform to that specified in the Missouri Highways and Transportation Commission standard specifications. Material for installations not covered in the standard specifications or in this policy shall be subject to approval by the chief engineer, taking into consideration the applicable industry code.

(6) Installation Requirements of Water and Sewer Mains and Service Line.

(A) All cast iron and ductile iron water mains shall be installed in accordance with Specification ANSI/AWWA C600-99 or the latest revision thereof.

(B) All asbestos cement water mains shall be installed in accordance with Specification ANSI/AWWA C603-96 or the latest revision thereof.

(C) All thermoplastic water mains shall be installed in accordance with Specification ASTM D 2774-94 or the latest revision thereof.

(D) All thermoplastic gravity sewer piping shall be installed in accordance with Specification ASTM D 2321-00 or the latest revision thereof.]

[(7)](6) Protective equipment. Cables, wires, small diameter pipes, and other such utility appurtenances extending from the surface of the ground shall be equipped with covers or guards to improve their visibility.

[(8)](7) Cutting Pavement. In the event that permission is granted to cut an existing P.C.C. or A.C. pavement, all cuts, if possible, shall be made with a saw to a minimum depth of two and one-half inches (2 1/2"). The width of cut shall be determined by the width of required trench plus twelve inches (12") on each side of the trench. In the event that the distance to any adjacent longitudinal or transverse joint or crack is less than four feet (4'), the pavement shall be removed to that joint or crack. All pavement repair shall be made [to] in compliance with the 2017 Missouri Standard Specification for Highway Construction, which is incorporated by reference and made a part of this rule, as published by the Missouri Department of Transportation, 105 W. Capitol Ave., PO Box 270, Jefferson City, MO 65102, website: [http://www.modot.org/business/standards\\_and\\_specs/highwayspecs.htm](http://www.modot.org/business/standards_and_specs/highwayspecs.htm), on June 8, 2017. This rule does not incorporate any subsequent amendments or additions to the Standard Specifications.

[(9)](8) Special Conditions. Special conditions at specific locations, which make adherence to this [policy] rule impractical may be submitted to the chief engineer for consideration of an acceptable alternate.

**AUTHORITY:** sections 226.020 and 227.240, RSMo [2000] 2016. Original rule filed Jan. 21, 1965, effective Jan. 31, 1965. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 14, 2017.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and Transportation  
Commission  
Chapter 3—Utility and Private Line Location and  
Relocation**

**PROPOSED AMENDMENT**

**7 CSR 10-3.020 Utility Relocation Hearings.** The Missouri Highways and Transportation Commission is amending sections (1)–(9).

**PURPOSE:** This amendment updates the administrative hearing process related to commission orders to relocate utility facilities consistent with the Missouri Administrative Procedures Act in Chapter 536, RSMo, removes unnecessary restrictive language, and authorizes a utility to waive an administrative hearing.

(1) [Requirement of] **Hearing Authorized.** The commission has authority to order the location and relocation of utility improvements and facilities within the right-of-way of any state highway to prevent interference with the construction, maintenance, and public use of state highways. Before exercising its authority to order the relocation of utility facilities within the right-of-way, the commission shall provide **the opportunity for an administrative hearing under section 227.240, RSMo [upon its] to any entity, person, or corporation authorized under section 227.240, RSMo to own or maintain utility lines, poles, wires, conduits, pipelines, and tramways (utility facility) within state highway right-of-way regarding the commission's proposed plan of utility facility location or relocation and other incidental matters. Such entity, person, or corporation may waive, at any time, the right to an administrative hearing under section 227.240, RSMo, which is to be provided to the district engineer or his/her designee or the hearing examiner.**

(2) **Notice of Hearing.** Upon request by the district engineer, the commission's hearing examiner shall prepare a **written notice of hearing. The notice shall be in writing,** that includes a plan or drawing indicating the locations within the right-of-way in which utilities may be located and maintained, state when the commission or its contractor is scheduled to begin work on the right-of-way, state the date by which work shall be completed on utilities within the right-of-way, fix the time and place of the administrative hearing, and advise that the purpose of the hearing is to consider the commission's proposed plan of utility location and other incidental matters. The [district engineer shall cause the] notice of hearing [to] **may be served upon each entity, person, or corporation, [association or person owning or maintaining utilities] authorized under section 227.240, RSMo to own or maintain a utility facility within the right-of-way by [personal service, with certificate of service or] certified mail, with return receipt requested, at least fifteen (15) days before the date of the hearing. [The notice shall be delivered or mailed at least fifteen (15) days before the date of hearing.]**

(3) [Presiding] **Hearing Officer[s].** The commission's hearing examiner [and the chief engineer or his/her designated representative shall] presides at **and conducts the hearing as provided**

in Chapter 536, RSMo and this rule, including, but not limited to, ruling on all discovery matters, objections, and motions, and having the hearing record transcribed.

(4) Discovery. *[The hearing examiner shall rule on all matters concerning discovery under section 536.073, RSMo] The parties to the hearing may conduct any method of discovery authorized in Chapter 536, RSMo.*

(5) Subpoenas. Witnesses may be summoned to appear and give testimony *[at the hearing] or to give testimony and produce documents* by a subpoena or *subpoena duces tecum* issued by the *[secretary to the commission] hearing examiner* at the request of any party as authorized under section 536.077, RSMo.

(6) Evidence, Arguments, and Briefs. *[The hearing shall be conducted as provided by Chapter 536, RSMo.]* The commission shall first present its evidence at the hearing. Then any party may present evidence in opposition. **The parties may offer closing arguments before conclusion of the hearing.** The hearing examiner may require written briefs to be filed within the time set by the hearing examiner for the use of the commission in reaching a final decision. *[The hearing examiner may rule on all objections and motions to facilitate submission of the case to the commission for its final decision.]*

(7) Transcript. *[At the conclusion of the hearing, the hearing examiner shall cause the entire record to be transcribed in sufficient quantities that the original may remain a permanent part of the commission's records and that one (1) copy may be furnished to each member of the commission.]* Any party may obtain a copy of the *[record] transcript of the hearing* at that party's expense.

(8) Report and Order. As soon as practical after receipt of the transcripts and briefs of the parties, if any, the hearing examiner shall submit to each member of the commission a full copy of the transcript of the proceedings along with a *[suggested] proposed* report and order for consideration by the commission.

(9) Final Decision. As soon as practical after receipt of the transcript and *[suggested] proposed* report and order, the commission members shall render a final decision in writing.

**AUTHORITY:** section 227.240, RSMo [1986] 2016. Original rule filed May 12, 1978, effective Aug. 11, 1978. Amended: Filed Nov. 14, 2017.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

## Title 7—DEPARTMENT OF TRANSPORTATION

### Division 10—Missouri Highways and Transportation Commission

### Chapter 3—Utility and Private Line Location and Relocation

#### PROPOSED AMENDMENT

**7 CSR 10-3.030 Location and Relocation of Private Lines on State Highways.** The Missouri Highways and Transportation Commission is amending sections (2)–(5) and adding a new section (6).

**PURPOSE:** *This amendment corrects the number of department districts from ten (10) to seven (7), clarifies the address of the commission to obtain a permit application, outlines the procedures to obtain permits for emergency work, and eliminates unnecessary restrictive wording.*

(2) Private lines are permitted to cross the right-of-way **of a highway on the state highway system** in the same manner as provided for utility facilities in 7 CSR 10-3.010.

(3) Longitudinal use of the highway right-of-way by private lines is not permitted except as provided for in section (4) **of this rule**.

(4) Special conditions at specific locations which make adherence to this policy impractical may be submitted to the **Missouri Department of Transportation** chief engineer for consideration of an acceptable alternative. *[If prior concurrence of the Federal Highway Administration or approval by the administrator of the Federal Highway Administration is necessary, then the chief engineer shall submit the alternative to the Federal Highway Administration or its administrator and receive its decision before giving final approval.]*

(5) Except as herein described, all work to be performed on right-of-way of the state highway system in connection with the location, relocation, or maintenance of private lines, and where the roadway, shoulders, or right-of-way will be affected by the work, must be done only under a permit or agreement to be issued **prior to the commencement of the work** by authority of the Missouri Highways and Transportation Commission **and that specifies the nature of the work to be performed.** Application for permits may be made on forms provided for that purpose *[and shall state specifically the nature of the work to be performed]*. The chief engineer shall determine and order the location and relocation of private lines within the right-of-way of any state highway to prevent interference with the construction, maintenance, and public use of state highways. A deposit or bond *[shall]* **may** be required, **in the department's sole discretion**, to insure completion in accordance with the permit issued. Applications for permits may be obtained at any of the *[ten (10)] seven (7)* district highway offices of the commission, **Missouri Department of Transportation's website located at: <http://modot.mo.gov/design/UtilityResources/Permits.htm>**, or by requesting the *[same] applications* from the office of the Missouri Highways and Transportation Commission at the **Missouri Department of Transportation Building, 105 W. Capitol Ave., PO Box 270, Jefferson City, Missouri 65102, or by calling (573) 751-2551. [Replacement of individual poles and attachments or other existing private line facilities where only spot excavation is required, and which excavation is not between the shoulder lines of the highway, may be considered as maintenance, and a permit will not be required, provided the private line owner involved abides by all parking and access regulations contained elsewhere in this policy for the type of highway on which the maintenance work is to be performed. Where parking and access violations occur or if the right-of-way is left in an unsatisfactory condition, the offending private line owner may be required to secure a permit for future**

*maintenance work on the right-of-way. The policies prescribed herein are intended to reflect general policies of the commission and specific application should be made and permit obtained for the contemplated work rather than to rely fully upon these rules.]*

(6) When emergency operations work is necessary, the damaged facility may be accessed immediately and without a permit by leaving the through roadways at such points as may be necessary to effect emergency repairs, provided immediate notice is given to the Missouri State Highway Patrol and the commission's district engineer or his/her designee for the district wherein the work will be performed, and a permit for emergency operations is requested immediately upon discovery of the need for emergency operations. A permit for emergency operations work is to be obtained as soon as practical, but in no event later than two (2) working days after the emergency operations work has commenced. For the purposes of this section (6), emergency operations includes, but is not limited to, unplanned work in response to utility lines or facilities being so damaged as to constitute an emergency situation directly affecting or endangering traffic on the highway or public health or safety.

*AUTHORITY: sections 226.020 and 227.240, RSMo [1986 and 23 U.S.C. 645.215 and 23 U.S.C. 1.23(c)] 2016. Original rule filed June 10, 1988, effective Nov. 11, 1988. Amended: Filed July 29, 1994, effective Feb. 26, 1995. Amended: Filed Nov. 14, 2017.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and Transportation  
Commission  
Chapter 4—Uniform Relocation Assistance**

**PROPOSED AMENDMENT**

**7 CSR 10-4.010 Administrative Review of Denial of Eligibility Or Amount of Relocation Assistance Benefits.** The Missouri Highways and Transportation Commission is amending the rule title and sections (1)–(11).

*PURPOSE: This amendment provides a uniform system for administrative review of final department determinations as to the eligibility for relocation assistance payments, the amount of relocation assistance payments, or both.*

(1) Request for Administrative Review. Any person aggrieved by a final district determination as to eligibility for, the amount of a relocation assistance payment, or both, *[shall be]* is entitled to administrative review of the determination by filing a written request for hearing with the district engineer.

(A) **Receipt Deadline.** The request for hearing must be received

by the district engineer within sixty (60) days after receipt by the applicant of the written notice of relocation claim rejection from the district engineer.

(B) **Application.** To be sufficient to authorize administrative review, *[T]he applicant's written request for hearing [should be filed on a form furnished by the district engineer, but any written request for hearing sufficient to]* shall identify the person requesting the hearing *[and to indicate the reason for the request for hearing shall be deemed a sufficient request for hearing. No other formalities shall be required in the request]*, state that such person is eligible for a relocation assistance payment, and request that a relocation assistance payment in a specific amount be made to such person.

(C) **Answer.** No answer or response by the *[commission shall be required]* department is necessary. Upon receipt of a request for hearing, the district engineer immediately shall forward the request along with a copy of the district engineer's written notice of relocation claim rejection to the commission's *[hearing examiner who shall acknowledge receipt of the request for hearing. Upon receipt of a timely request for administrative review, the hearing examiner shall notify the chief counsel in order that s/he may assign an assistant counsel to represent the commission]* chief counsel. The chief counsel shall acknowledge receipt of the request and assign counsel as the commission's hearing examiner and department counsel, respectively, to the hearing.

(2) **Untimely Request for Administrative Review.** Untimely requests for hearing shall *[be deemed to be denied by the commission and the]* result in the appeal board having no jurisdiction to hear the request. As a result, the commission's hearing examiner shall *[so]* issue an order that dismisses the applicant's request and notify the applicant or counsel for applicant and department counsel in writing by certified mail, return receipt requested of the order. *[This decision shall be subject to judicial review under section 536.150, RSMo.]*

(3) *[Bias. If the hearing examiner determines at any stage of the proceeding that s/he has prior knowledge of specific facts of a case that s/he deems would prevent him/her from rendering an objective report and order, s/he immediately shall cease to act and the commission shall provide an alternate hearing examiner.]* **Hearing Officer.** The hearing examiner will conduct the hearing as provided in Chapter 536, RSMo and this rule, including, but not limited to, ruling on all discovery matters, objections, and motions, and having the hearing record transcribed.

(4) **Notice of Hearing.** The hearing examiner shall give written notice of the date of the hearing to the applicant or counsel for applicant, *[the district engineer]* and *[the assistant]* counsel for the *[commission fixing a time and place determined by the hearing examiner for a hearing. Such notice shall be mailed by the hearing examiner not less than fifteen (15) days before the date of hearing]* department, and the hearing date will be not less than fifteen (15) days from the date of the notice. In instances where more than one (1) request for hearing is received from the same applicant, the hearing examiner may consolidate the cases. *[If e]Either party [requests] may request that the hearing examiner grant a continuance[, the hearing examiner shall hear and determine the reasonableness of the request. If the request is granted, the hearing examiner shall give written notice fixing a time and place for hearing]. All hearings will be held at the Missouri Department of Transportation Building, 105 W. Capitol Avenue, Jefferson City, MO 65102.*

(5) **Discovery.** Any party may *[have]* conduct any method of discovery *[under section 536.073]* authorized in Chapter 536,

RSMo. *[The hearing examiner shall rule on all disputes between the parties concerning discovery.]*

(6) Subpoenas. Witnesses may be summoned to appear to give testimony or to give testimony and produce documents **from a subpoena or subpoena duces tecum issued by the hearing examiner as authorized** under section 536.077, RSMo. *[At the request of any party, the hearing examiner shall issue a subpoena; provided that subpoenas duces tecum shall be issued only by order of the commission or any member of the commission. The hearing examiner shall rule on all disputes between the parties concerning subpoenas.]*

(7) Hearing. There are only two (2) ultimate issues in a relocation assistance case—eligibility of the applicant for a relocation assistance payment and the amount of the payment. The applicant *[shall]* presents evidence first at the hearing in support of the **applicant's** claim for relocation assistance benefits. Then the *[commission shall]* **department** presents its evidence *[in support of the denial of benefits. Any party shall have the right of cross-examination. Oral or written evidence must be received in the record to be considered by the appeal board in reaching its final decision. Any party shall be entitled to present oral argument at the hearing which, if presented, shall be preserved in the record].* **The parties may make closing arguments before conclusion of the hearing.** Any party may file a written brief and the hearing examiner may *[require]* **request** any party to file a written brief, suggested findings of fact and conclusions of law, or both, within the time set by the hearing examiner. *[The hearing examiner may rule on all objections and motions to facilitate submission of the case for a decision by the appeal board.]*

(8) Record. *[At the conclusion of the hearing, the hearing examiner shall cause the entire record to be transcribed in sufficient quantities to satisfy the needs of the applicant and the appeal board. The original shall be retained as a permanent record of the commission. The applicant may obtain a copy of the transcript and exhibits at the applicant's expense]* **Any party may obtain a copy of the transcript of the hearing at that party's expense.**

(9) Report and Order. *[As soon as practical after receipt of the transcript and briefs, suggestions of the parties, if any, or both, t/The hearing examiner shall submit to the [other members of the] appeal board a copy of the record along with a [suggested] proposed report and order.*

(10) Final Decision of the Appeal Board. **The commission delegates to and vests its [F]final authority to determine relocation assistance claims [shall be vested] in [the] an appeal board which [shall] consists of the chief engineer or a designated assistant, the [chief of the] assistant to the state design engineer right-of-way [division] or a designated assistant and the chief counsel or a designated counsel that did not serve as the hearing examiner at the hearing. [Each member of the appeal board shall have one (1) vote.]** The board, *after each member reads the record,* shall render a final decision by a majority vote **with each board member having one (1) vote.** *[If briefs or oral arguments are submitted, the members of the board, in lieu of reading the entire record, may consider those portions of the record cited or referred to in the arguments or briefs to arrive at a final decision. The appeal board shall render its final decision in writing which shall be based upon competent and substantial evidence upon the whole record.]* The appeal board's decision shall be the final decision of the *[agency as though entered by the]* commission *[and it shall be subject to judicial review under section 536.100, RSMo. The hearing examiner shall forward, as soon as practical after the board's decision, a copy of the*

*decision to the applicant or his/her attorney by certified mail, return receipt requested].*

(11) Conflict With Other Administrative Rules. The *[rules and]* provisions of this rule *[shall]* supersede any inconsistent *[rules or]* provisions in 7 CSR 10-4.020.

*AUTHORITY: sections 226.150 and 523.210, RSMo [1986] 2016; 42 U.S.C. [4630; 42 U.S.C. 4633] Chapter 61; 23 CFR [740.8; and 23 CFR 740.37] Part 710; and 49 CFR Part 24. Original rule filed June 9, 1975, effective June 19, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 14, 2017.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## Title 7—DEPARTMENT OF TRANSPORTATION Division 10—Missouri Highways and Transportation Commission Chapter 4—Uniform Relocation Assistance

### PROPOSED AMENDMENT

**7 CSR 10-4.020 Relocation Assistance Program.** The Missouri Highways and Transportation Commission is amending sections (1) and (2).

*PURPOSE: This amendment satisfies the commission obligation under state and federal law to duly file the practices and procedures for computing relocation assistance benefits.*

(1) This rule *[consists of Chapter VIII]* **adopts the department's Engineering Policy Guide, Category 236—Right of Way, Article 8, Relocation Assistance Program [Manual],** which is incorporated herein by reference and made a part of this rule as published by the Missouri Highways and Transportation Commission, *[Right of Way] Design Division, 105 West Capitol Avenue, Jefferson City, MO 65102, [2006] October 31, 2017 Edition.* This rule does not incorporate any subsequent amendments or additions *[of this manual. Chapter VIII is divided into seventeen (17) sections as follows: general information, organization, relocation assistance advisory service, public information, preacquisition requirements, administrative records and reports, moving cost payments, in-lieu-of moving payments, replacement housing payments, incidental closing costs, increased interest payments, rental subsidy payments, down-payment assistance, last resort housing, possession policies, vacancy notices and appeals, and functional replacement].*

(2) For additional information, contact *[the director of right of way or]* any of the **department's** district engineers (see 7 CSR 10-1.010 for addresses).

**AUTHORITY:** sections 226.150, 227.120, and 523.210, RSMo [2000 and 227.120, RSMo Supp. 2006] 2016; 42 U.S.C. [4630; 42 U.S.C. 4633] Chapter 61; 23 CFR Part 710; and 49 CFR Part [25] 24. Original rule filed March 4, 1983, effective June 15, 1983. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 14, 2017.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 40—Family Support Division  
Chapter 91—Rehabilitation Services for the Blind (RSB)**

**PROPOSED RESCISSION**

**13 CSR 40-91.040 Payments for Vision Examinations.** This rule established the criteria by which comprehensive eye examination costs were paid by the Department of Social Services.

**PURPOSE:** This rule is being rescinded since the Department of Social Services no longer makes payments to medical providers for comprehensive eye examinations of first- and third-grade children not covered by insurance who fail public school vision screenings since section 167.195 RSMo has been repealed.

**AUTHORITY:** sections 167.195 and 192.935, RSMo Supp. 2010. This rule originally filed as 19 CSR 40-11.010. Emergency rule filed Jan. 9, 2009, effective Jan. 19, 2009, expired July 17, 2009. Original rule filed Jan. 9, 2009, effective Aug. 30, 2009. Moved and amended: Filed Sept. 13, 2010, effective March 30, 2011. Rescinded: Filed Nov. 3, 2017

**PUBLIC COST:** This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—MO HealthNet Division  
Chapter 10—Nursing Home Program**

**PROPOSED RESCISSION**

**13 CSR 70-10.150 Enhancement Pools.** This rule created enhance-

ment pools to increase reimbursement to government-owned nursing facilities and all nursing facilities, in an amount not to exceed the Medicare upper limit payment for the Medicaid program.

**PURPOSE:** This rule is being rescinded because the MO HealthNet Division (MHD) no longer makes payments under this regulation.

**AUTHORITY:** sections 208.153, 208.159 and 208.201, RSMo 2000. Emergency rule filed Nov. 3, 2000, effective Nov. 13, 2000, expired May 11, 2001. Original rule filed Nov. 13, 2000, effective May 30, 2001. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Nov. 3, 2017.

**PUBLIC COST:** This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—MO HealthNet Division  
Chapter 15—Hospital Program**

**PROPOSED AMENDMENT**

**13 CSR 70-15.090 Procedures for Evaluation of Appropriate Inpatient Hospital Admissions and Continued Days of Stay.** The division is amending section (9).

**PURPOSE:** The amendment corrects the amount that MO HealthNet reimburses for medical records needed by the division to review reimbursement.

(9) Payment for requested copies will be reimbursed [at ten cents (10¢) per page by submitting] by the division. MO HealthNet will reimburse up to the maximum fees for copying per section 191.227, RSMo. Providers must submit an invoice to the division [an invoice] indicating the number of pages per record. No additional reimbursement will be made for postage. Copies must be legible.

**AUTHORITY:** sections 208.153[, RSMo Supp. 1991] and 208.201, RSMo [Supp. 1987] 2016. This rule was previously filed as 13 CSR 40-81.162. Original rule filed May 3, 1985, effective Sept. 1, 1985. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 3, 2017.

**PUBLIC COST:** This proposed amendment will cost state agencies or political subdivisions approximately one thousand two hundred dollars (\$1,200) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to

*Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*



**FISCAL NOTE  
PUBLIC COST**

- I. Department Title: Title 13 - Department of Social Services  
Division Title: Division 70 - MO HealthNet Division  
Chapter Title: 15 – Hospital Program**

<b>Rule Number and Name:</b>	13 CSR 70-15.090 Procedures for Evaluation of Appropriate Inpatient Hospital Admission and Continued Days of Stay
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
<b>Department of Social Services, MO HealthNet Division</b>	<b>Annual Fiscal Year Impact – \$1,200</b>

**III. WORKSHEET**

The estimated total annual cost for copying medical records to supply those medical records to MO HealthNet is: \$1,200.

**IV. ASSUMPTIONS**

MHD estimates this amendment will cost \$1,200 annually.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—MO HealthNet Division  
Chapter 91—Personal Care Program**

**PROPOSED RESCISSION**

**13 CSR 70-91.020 Mental Health Residential Personal Care Program.** This rule established the basis for administering a personal care program for residents of community residential facilities licensed by the Department of Mental Health.

*PURPOSE:* This rule is being rescinded because the program is no longer utilized. Services have not been authorized under the Mental Health Residential Personal Care Program since 2011. The facilities for which this program was created and services were authorized have all been closed thus eliminating the need for the program.

*AUTHORITY:* sections 208.152, RSMo Supp. 1993, 208.153, RSMo Supp. 1991 and 208.201, RSMo 1987. Emergency rule filed March 18, 1993, effective April 1, 1993, expired July 29, 1993. Emergency rule filed July 6, 1993, effective July 30, 1993, expired Nov. 26, 1993. Original rule filed March 16, 1993, effective Oct. 10, 1993. Rescinded: Filed Nov. 3, 2017.

*PUBLIC COST:* This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—MO HealthNet Division  
Chapter 96—Medicaid Primary and Prenatal Care Clinic Program**

**PROPOSED RESCISSION**

**13 CSR 70-96.010 Reimbursement for Medicaid Primary and Prenatal Care Clinic Program.** This rule established the regulatory basis for Title XIX Medicaid payment for Primary and Prenatal Care Clinic Program services.

*PURPOSE:* The MO HealthNet Division is rescinding this rule because there are no longer any providers that qualify for reimbursement under the rule.

*AUTHORITY:* section 208.201, RSMo Supp. 1987. Emergency rule filed Jan. 14, 1994, effective Feb. 2, 1994, expired June 1, 1994. Emergency rule filed May 23, 1994, effective June 2, 1994, expired Sept. 29, 1994. Emergency amendment filed June 21, 1995, effective July 1, 1995, expired Oct. 28, 1995. Original rule filed Jan. 14, 1994, effective Aug. 28, 1994. Rescinded: Filed Nov. 3, 2017.

*PUBLIC COST:* This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in

support of or in opposition to this proposed rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Professional Landscape Architects  
Chapter 5—Examinations**

**PROPOSED RESCISSION**

**20 CSR 2030-5.050 Admission to Examination—Architects.** This rule prohibited admission to the architectural examination of a candidate who had an application pending in another state, unless the candidate had moved to Missouri since filing his/her original application.

*PURPOSE:* Since Missouri is established as a "Direct Registration" state with the National Council of Architectural Registration Boards (NCARB), all applicants for examination as an architect apply directly with NCARB and no longer with the board; thus, this rule is no longer necessary and can be rescinded.

*AUTHORITY:* section 327.041, RSMo Supp. 2005. This rule originally filed as 4 CSR 30-5.050. Original rule filed May 25, 1970, effective June 25, 1970. Amended: Filed Aug. 18, 2005, effective March 30, 2006. Moved to 20 CSR 2030-5.050, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Rescinded: Filed Nov. 15, 2017.

*PUBLIC COST:* This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapels@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing  
Chapter 1—Organization and Description of the Board**

**PROPOSED RESCISSION**

**20 CSR 2200-1.010 General Organization.** This regulation gave a description of the board of nursing and the methods and procedures where the public could obtain information or make submissions or requests.

*PURPOSE:* The rule is being rescinded as the information already exists in statute or board guidelines.

**AUTHORITY:** Chapter 335 and section 610.021(3) and (13), RSMo Supp. 2013. This rule originally filed as 4 CSR 200-1.010. Original rule filed April 5, 1976, effective Oct. 11, 1976. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Nov. 2, 2017.

**PUBLIC COST:** This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rescission with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at [nursing@pr.mo.gov](mailto:nursing@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing  
Chapter 1—Organization and Description of the Board**

**PROPOSED RESCISSION**

**20 CSR 2200-1.020 Board Compensation.** This rule fixed the compensation for the members of the State Board of Nursing in compliance with the mandates of section 335.026.4., RSMo (1986).

**PURPOSE:** The rule is being rescinded as not necessary since board compensation is set by statute.

**AUTHORITY:** sections 335.026 and 335.036, RSMo (1994). This rule originally filed as 4 CSR 200-1.020. Emergency rule filed Sept. 18, 1981, effective Sept. 28, 1981, expired Jan. 26, 1982. Original rule filed Sept. 18, 1981, effective Jan. 14, 1982. Amended: Filed Feb. 15, 1996, effective Aug. 30, 1996. Moved to 20 CSR 2200-1.020, effective Aug. 28, 2006. Rescinded: Filed Nov. 2, 2017.

**PUBLIC COST:** This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rescission with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at [nursing@pr.mo.gov](mailto:nursing@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2205—Missouri Board of Occupational Therapy  
Chapter 5—Continuing Competency Requirements**

**PROPOSED AMENDMENT**

**20 CSR 2205-5.010 Continuing Competency Requirements.** The

board is deleting section (3), renumbering as necessary, and amending new sections (3) and (5).

**PURPOSE:** This amendment clarifies continuing competency requirements and earning continuing competency credits.

*[(3) At least fifty percent (50%) of the twenty-four (24) continuing competency credits must be directly related to the delivery of occupational therapy services, and the remaining CCCs must be related to one's practice area or setting.]*

*[(4)](3)* A licensee who is or becomes licensed during a renewal cycle shall *[be required to]* obtain CCCs at the rate computed by the following formula:

(A) Formula: Number of months licensed during the renewal cycle divided by the total number of months in the reporting cycle then multiplied by the number of CCCs required for renewal during the reporting cycle resulting in a total number of CCCs required to complete for renewal this reporting cycle. When applicable, this total will then be rounded to the nearest whole number by applying the following rounding rule: round down to the nearest whole number if the digit to the right of the decimal is four (4) or less, round up to the nearest whole number if five (5) or more. Example: An occupational therapist becomes licensed September 1, 2004, the reporting cycle is twenty-four (24) months, ending June 30, 2005, and the annual requirement is twelve (12) hours per year.  $10 \text{ months} \div 24 \text{ months} \times 24 = 9.9$  or round up to ten (10) hours (Licensee must have completed ten (10) CCCs to renew.).

*[(5)](4)* Conversion of Continuing Education Units (CEU) to Continuing Competency Credits (CCC)—

- (A) One (1) CEU equals ten (10) Continuing Competency Credits;
- (B) One (1) contact hour equals one (1) Continuing Competency Credit;
- (C) Fifty (50) minutes equals one (1) Continuing Competency Credit; and
- (D) One (1) Academic Credit Hour equals ten (10) Continuing Competency Credits.

*[(6)](5)* Acceptable types of continuing competency activities, corresponding degree of continuing competency credit, and the required documentation are as follows:

Continuing Competency Activity	Minimum Continuing Competency Credit	Maximum Continuing Competency Credits	Audit Documentation
<b>PRESENTING</b>			
Making presentations for local organizations/associations/groups on OT related topics (e.g., energy conservation, back care, and prevention of injury). <b>1-time presentation per topic. Time spent on preparation cannot be included.</b>	1 Hour equals 1 CCC	12 CCC	<i>[Date and location of presentation, copy of presentation or program listing; contact person for organization]</i> Certificate verifying presentation or verification letter from organization on their letterhead to include date, time, and length of presentation.
Making professional presentations at state or national workshops, seminars, and conferences. <b>1-time presentation per topic. Time spent on preparation cannot be included.</b>	1 Hour equals 2 CCC	24 CCC	<i>[Copy of presentation or program listing]</i> Certificate verifying presentation or letter from organization on their letterhead to include date, time, and length of presentation.
<i>[Guest lecturer, t]</i> Teaching OT related academic course per semester (must not be one's primary role). <b>Time spent on preparation cannot be included.</b>	1 Credit Hour equals 3 CCC	24 CCC	Syllabus of course, course outline <i>[V]</i> verification <i>[letter]</i> from <i>[Dept. Chair]</i> program, or certificate verifying teaching.
<b>Guest lecturer as a primary or co-presenter for students enrolled in occupational therapy programs or related professionals.</b>	<b>1 Hour equals 1 CCC</b>	<b>24 CCC</b>	Syllabus of course, course outline <b>Verification from program or certificate verifying teaching.</b>
Providing professional in-service training and/or instruction for occupational therapists, occupational therapy assistants, <i>[and]</i> or related professionals. <b>1-time presentation per topic. Time spent on preparation cannot be included.</b>	1 Hour equals 1 CCC	12 CCC	Attendance records, goals, and objectives of in-service training. Verification letter from supervisor on their letterhead verifying presenter's name and the date, time, and length of the presentation.
<b>ATTENDING WORKSHOPS/COURSES/INDEPENDENT LEARNING</b>			
Attending workshops, seminars, lectures, on-line courses, and professional conferences <i>[accepted by the certifying entity approved by the division]</i> related to occupational therapy services.	1 Hour equals 1 CCC	24 CCC	CEU, contact hours, certificates of attendance, letter from sponsor.
Attending employer-provided continuing education. <b>Does not include new staff orientation and/or annual mandatory workplace trainings (e.g. annual policy review and corporate compliance, CPR).</b>	1 Hour equals 1 CCC	24 CCC	Attendance records, certificates which should include title of offering, date given, and length of presentation.
Reading a peer-reviewed, role-related professional article and writing a report describing the implications for improving skills in one's specific role.	1 <i>[a]</i> Article equals .5 CCC	12 CCC	Annotated bibliography and analysis of how articles impacted improving skills in one's role.
Successful completion of formal academic coursework. <b>Courses indirectly or directly related to occupational therapy services.</b>	1 Credit Hour equals 10 CCC	24 CCC	Official transcript from accredited college, <b>course description, and statement how it's related to OT services.</b>
Professional study group, minimum of 3 participants.	3 Hours equals 1 CCC	24 CCC	Group attendance records which should include the date and times the group met; study group goals, analysis of goal attainment, and learning.
Independent learning with assessment element (online courses, CE articles, self-study series, etc.).	1 Hour equals <i>[1]</i> 2 CCC	12 CCC	CEUs, contact hours, <b>completion certificate which should include the date course was completed.</b>

Independent learning without assessment element (audited coursework, multimedia course, etc.).	[10 CCC] 1 Hour equals 1 CCC	[24] 12 CCC	Certificate of completion <b>which should include the date course was completed.</b>
<b>Completion of competency assessment tools (i.e., NBCOT Navigator, AOTA assessment tools, etc.).</b>	<b>1 Unit equals 1 CCC</b>	<b>12 CCC</b>	<b>Certificate of completion.</b>
<b>PUBLISHING</b>			
Publication of article in non-peer-reviewed publication (e.g., OT Practice, SIS Quarterly, Advance, etc.).	1 Article equals 5 CCC	24 CCC	Copy of publication.
Publication of chapter(s) in occupational or related professional textbook.	1 Chapter equals 10 CCC	24 CCC	Copy of <i>[text]</i> <b>chapter(s) and table of contents</b> , letter from editor.
Publication of article in peer-reviewed professional publication (e.g., journals, book chapter, research paper).	1 Article equals 10 CCC	24 CCC	Copy of <i>[text]</i> <b>published article</b> , letter from editor.
<b>PROFESSIONAL SERVICES</b>			
Mentoring a colleague to improve the skills of the protégé ( <i>/M/mentor</i> ).	20 Hours equals 3 CCC	12 CCC	Goals and objectives, analysis of mentee performance <b>which should include the dates and hours mentored.</b>
<i>[Outcomes of Self-Assessment and Professional Development Plan]</i>	<i>[2 CCC for Self-Assessment and Professional Dev. Plan]</i>	<i>[2 CCC]</i>	<i>[Acceptable documents include the completed NBCOT Self-Assessment and Professional Development Plan describing how goals were met and impacted competence/skills]</i>
Reflective occupational therapy practice in collaboration with an advanced colleague to improve one's skill level.	20 Hours equals 3 CCC	12 CCC	Mentor verification of skills, evaluation of <i>/M/mentor</i> , and experience analysis of learning.
Volunteer services to organizations, populations, individuals that advance the reliance on the use of one's OT skills and experiences.	10 Hours equals 2 CCC	12 CCC	Verification letter from organization <b>which should include the dates and hours volunteered.</b> Report describing outcomes of volunteer service provided.
Extensive scholarly research activities or extensive outcome studies.	10 CCC	24 CCC	Grant funding number, abstract/executive summary, and/or copies of the completed research/studies.
<b>FIELDWORK SUPERVISION</b>			
Level II fieldwork day-to-day direct supervision OT or OTA. <b>Must not be one's primary role.</b>	<i>[2 CCC per rotation (8–12 weeks)]</i> <b>1 unit per week of supervision per student supervised</b>	<i>[24] 18 CCC</i>	Documentation required, name of student(s), letter of verification <b>or certificate</b> from school, dates of fieldwork.
<b>Level I fieldwork direct supervision. Must not be one's primary role.</b>	<b>1 unit per student for a complete field work rotation per student as defined by OT/OTA program</b>	<b>12 CCC</b>	<b>Documentation required, name of student(s), letter of verification or certificate from school, dates of fieldwork.</b>

Entry-level or post-doctoral advanced [fieldwork] experience direct supervision. [[m]Must not be one's primary role[]].	/2 CCC per rotation (8-12 weeks)/ 1 unit per week of supervision per student supervised	/24 / 18 CCC	Documentation required, name of student(s), letter or certificate of verification from school, dates of fieldwork.
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[[7]](6) Workshops, seminars, lectures, and professional conferences accepted by the certifying entity approved by the board shall automatically be accepted for license renewal.

[[8]](7) Audit of Continuing Competency Activities.

(A) A licensee is subject to an audit of the continuing competency activity documentation after the time of license renewal.

(B) The board may audit continuing competency activities as time and resources permit.

(C) Upon request, the licensee shall submit to the board for review the continuing competency credit documentation verifying successful completion of continuing competency requirements. Licensees shall assist the board in its audits by providing timely and complete responses to the board's inquiries.

(D) Failure to submit requested information to the board by the date requested or submission of inadequate or falsified records may result in disciplinary action.

[[9]](8) Upon application and for good cause shown, the board may excuse or extend the time for completion of some or all of the required continuing competency credits.

(A) An application shall be in writing and delivered to the board's office.

1. The board may require additional information or an interview with the board or its designee. Failure to timely respond or appear shall be grounds to deny the application.

2. If the application requests excuse of the credits, a statement of how competency is being maintained shall be part of the application.

3. If the application requests an extension of time, it shall include proposed activities.

(B) If an extension of time is granted, the continuing competency credits earned during the extension shall not be counted in the subsequent renewal period.

**AUTHORITY:** sections 324.065, 324.080, and 324.086, RSMo [Supp. 2010] 2016. This rule originally filed as 4 CSR 205-5.010. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 9, 2017.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Vanessa Beauchamp, Executive Director, State Board of Occupational Therapy, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via email at ot@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

### Division 2245—Real Estate Appraisers Chapter 2—General Rules

#### PROPOSED AMENDMENT

**20 CSR 2245-2.050 Appraiser's Assignment Log.** The commission is proposing to amend section (1).

**PURPOSE:** This amendment removes the requirement to record the hours spent to complete an appraisal in an assignment log.

(1) Every licensee shall maintain a summarized listing of the real estate appraisal assignments which the licensee is required to retain under section 339.537, RSMo. This summarized listing shall include, at a minimum, the following information:

(F) Appraised value; and

(G) Type of form used, if any; and

(H) Actual number of hours used to complete the appraisal].

**AUTHORITY:** sections 339.509 and 339.537, RSMo [2000] 2016. This rule originally filed as 4 CSR 245-2.050. Original rule filed Sept. 12, 1996, effective March 30, 1997. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 9, 2017.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Real Estate Appraisers Commission, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via email at reacom@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

### Division 2245—Real Estate Appraisers Chapter 10—Appraisal Management Company

#### PROPOSED AMENDMENT

**20 CSR 2245-10.010 Appraisal Management Company Application Requirements.** The board is amending sections (1) and (3).

**PURPOSE:** This amendment changes information required for contact information for service of process, amends owner information

*required if an individual owns more than ten percent (10%), and verification of licensure requirements.*

(1) To apply for a license, an appraisal management company (AMC) shall submit a nonrefundable initial application fee as established by rule in 20 CSR 2245-5.020(2) along with the written application on a form provided by the commission which shall include, but is not limited to, the following information:

(D) *[If the entity is not a corporation that is domiciled in this state, t/]*The name and contact information for the company's agent for service/s/ of process in this state;

(E) The name, address, and contact information for any individual or any corporation, partnership, or other business entity that owns **more than** ten percent (10%) *[or more]* of the appraisal management company;

(G) Proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation background check for the controlling person and each person who owns more than ten percent (10%) of an appraisal management company as listed on the application; *[and]*

(H) A surety bond in the amount of twenty thousand dollars (\$20,000)*[.]*; and

**(I) Verification from each state, United States territory, province, or country regulatory entity in which a license, certificate, registration, or permit as an appraisal management company is held or has ever been held, submitted directly to the commission.**

(3) The initial application submitted by the appraisal management company shall include the following certifications:

(D) That the AMC has reviewed each person or entity that owns more than ten percent (10%) of the AMC and no person or entity owning more than ten percent (10%) of the AMC has **held** a license or certificate that *[is currently on discipline]* **was refused, denied, cancelled, revoked, or surrendered in lieu of revocation.**

*AUTHORITY: sections 43.543, 339.509, 339.511, [and] 339.513, [RSMo Supp. 2012,] and [section] 339.544, RSMo [2000] 2016. Original rule filed Nov. 13, 2012, effective June 30, 2013. Amended: Filed Nov. 9, 2017.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities approximately three hundred dollars (\$300) to six hundred dollars (\$600) for the first year of implementation and approximately fifteen dollars (\$15) to thirty dollars (\$30) annually thereafter for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed amendment with the Real Estate Appraisers Commission, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via email at [reacom@pr.mo.gov](mailto:reacom@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## PRIVATE FISCAL NOTE

## I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2245 - Missouri Real Estate Appraisers Commission

Chapter 10 - Appraisal Management Company

Proposed Rule - 20 CSR 2245-10.010 Appraisal Management Company Application Requirements

## II. SUMMARY OF FISCAL IMPACT

## First Year of Implementation of Rule

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
20	Appraisal Management Companies (AMC) Licensure Verification @ \$5-\$10/State @ Average 3 States/AMC	\$300.00 to \$600.00
	<b>Estimated Cost of Compliance for the First Year of Implementation of the Amendment</b>	<b>\$300.00 to \$600.00</b>

## Annually Thereafter

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
1	Appraisal Management Companies (AMC) Licensure Verification @ \$5-\$10/State @ Average 3 States/AMC	\$15.00 to \$30.00
	<b>Estimated Annual Cost of Compliance after the First Year of Implementation of the Amendment for the Life of the Rule</b>	<b>\$15.00 to \$30.00</b>

## III. WORKSHEET

See table above.

## IV. ASSUMPTION

1. The above figures are based on information gathered during the initial phases of licensure for AMCs in Missouri.
2. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.



**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2245—Real Estate Appraisers  
Chapter 10—Appraisal Management Company**

**PROPOSED AMENDMENT**

**20 CSR 2245-10.020 Appraisal Management Company Standards of Practice.** The commission is amending section (1).

*PURPOSE: This amendment clarifies language regarding licensure status of appraisers who wish to work with appraisal management companies.*

(1) An appraisal management company (AMC) that has been issued a registration by the Missouri Real Estate Appraisers Commission under these rules shall be responsible for complying with the following:

**(I) Shall conduct its appraisal management services in accordance with the requirements of section 129E(a) through (i) of the Truth in Lending Act, 15 U.S.C. 1639e(a) through (i), and regulations thereunder;**

**[(I)](J)** Shall not employ any person directly involved in appraisal management services who has a license or certificate to act as an appraiser in Missouri or in any other state that *[is currently on discipline]* was refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation and not subsequently granted or reinstated;

**[(J)](K)** Shall not knowingly enter into any independent contractor arrangement, whether in verbal, written, or in other form, with any person who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation and not subsequently granted or reinstated;

**[(K)](L)** Shall not knowingly enter into any contract, agreement, or other business relationship directly involved with the performance of real estate appraisal or appraisal management services, whether in verbal, written, or any other form, with any entity that employs, has entered into an independent contract arrangement, or has entered into any contract, agreement, or other business relationship, whether in verbal, written, or any other form, with any person who has ever had a license or certificate to act as an appraiser in Missouri or in any other state, refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation and not subsequently granted or reinstated;

**[(L)](M)** Shall not prohibit an appraiser who is part of an appraiser panel from recording the fee that the appraiser was paid by the appraisal management company for the performance of the appraisal within the appraisal report;

**[(M)](N)** Shall not require an appraiser to modify any aspect of an appraisal report unless the modification complies with Uniform Standards of Professional Appraisal Practice;

**[(N)](O)** Shall only require an appraiser to prepare an appraisal under a time frame that affords the appraiser, in their own professional judgment, the ability to meet all relevant legal and professional obligations. Appraisers shall decline appraisal assignments made outside of such time frame and shall notify the AMC accordingly;

**[(O)](P)** Shall not prohibit or inhibit legal or other allowable communication between the appraiser and—

1. The lender;
2. A real estate licensee; or
3. Any person from whom the appraiser, in the appraiser's own professional judgment, believes the communication would be relevant;

**[(P)](Q)** Shall not require the appraiser to do anything that does not comply with the—

1. Uniform Standards of Professional Appraisal Practice;

2. Sections 339.500 to 339.549, RSMo, and the regulations promulgated thereunder; *[or]*

3. Any assignment conditions required by the client; or

**4. The appraisal independence standards of the Truth in Lending Act (TILA);**

**[(Q)](R)** Shall not make any portion of the appraiser's fee or the appraisal management company's fee contingent on a predetermined or favorable outcome, including but not limited to:

1. A loan closing; or
2. Specific dollar amount being achieved by the appraiser in the appraisal report;

**[(R)](S)** Shall not require an appraiser to provide the appraisal management company with the appraiser's digital signature or seal; and

**[(S)](T)** Shall not alter, modify, or otherwise change a completed appraisal report submitted by an appraiser.

*AUTHORITY: sections 339.509, [and] 339.511, [RSMo Supp. 2012,] and [section] 339.544, RSMo [2000] 2016. Original rule filed Nov. 13, 2012, effective June 30, 2013. Amended: Filed Nov. 9, 2017.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Real Estate Appraisers Commission, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via email at reacom@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2245—Real Estate Appraisers  
Chapter 10—Appraisal Management Company**

**PROPOSED AMENDMENT**

**20 CSR 2245-10.030 Renewal.** The board is amending subsections (2)(A) and (2)(B).

*PURPOSE: This amendment requires appraisal management companies to have a process to verify active licensure.*

(2) At the time of renewal the AMC shall certify to the commission on the renewal form that—

(A) The AMC has a system and process in place to verify that an individual being added to the appraiser panel holds an **active** license in good standing in this state;

(B) The AMC has a system in place to verify that an individual whom the AMC is making an assignment for the completion of an appraisal *[does not currently hold a license or certificate on discipline]* has not had a license or certificate refused, denied, cancelled, revoked, or surrendered in lieu of pending revocation and not subsequently granted or reinstated;

*AUTHORITY: sections 339.511, [and] 339.525, [RSMo Supp. 2012,] and [section] 339.544, RSMo [2000] 2016. Original rule filed Nov. 13, 2012, effective June 30, 2013. Amended: Filed Nov. 9, 2017.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Real Estate Appraisers Commission, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via email at [reacom@pr.mo.gov](mailto:reacom@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

## Title 13—DEPARTMENT OF SOCIAL SERVICES Division 70—MO HealthNet Division Chapter 10—Nursing Home Program

### ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 208.153, 208.159, and 208.201, RSMo 2016, the division amends a rule as follows:

#### **13 CSR 70-10.016 Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2017 (42 MoReg 1233-1239). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The MO HealthNet Division (MHD) received multiple comments on the proposed amendment from one (1) interested party, Harvey M. Tettlebaum, Partner with Husch Blackwell, LLP. As a result of the various comments, Mr. Tettlebaum believes the regulation should remain as is, and it should not be revised as set forth in the proposed amendment.

**COMMENT #1:** Mr. Tettlebaum commented that he believes the methodology proposed in the amendment to reduce the nursing facility reimbursement rate to be contrary to the mandates of House Bill 11 (HB 11), is arbitrary, and in violation of equal protection guaran-

tees provided by the *Missouri* and *United States Constitutions*.

**RESPONSE:** HB 11 does not indicate the manner in which nursing facilities' per diem rates are to be reduced. HB 11 provides the total amount of the appropriation for the Title XIX Medicaid nursing facility program approved by the General Assembly and the Governor which resulted in a reduction from the previous year's appropriation. MHD has been charged with implementing nursing facility reimbursement under section 208.159, RSMo, through the rulemaking process, such as it is doing here. In *Beverly Enterprises-Mo. v. Dep't of Soc. Servs.*, 349 S.W.3d 337 (Mo. App. W.D. 2008), the Missouri Court of Appeals, Western District, held that MHD has the authority to establish reasonable costs for nursing facility services as a basis for adjusting per diem reimbursement rates so as to stay within MHD's appropriation. In the proposed amendment, MHD calculated each facility's per diem rate by taking the change in the appropriation and dividing it by the number of estimated Medicaid days to be paid during the state fiscal year to determine the average change in the per diem rate, and reducing each nursing facility's current reimbursement rate by the average change to determine each facility's revised per diem rate. MHD's rate reduction methodology is not arbitrary because MHD has authority to prescribe the methodology under state and federal law. Since the methodology is applied in the same manner to each nursing facility, it does not violate equal protection guarantees under Missouri or federal law. MHD has not made a change to the proposed amendment as a result of this comment.

**COMMENT #2:** Mr. Tettlebaum commented that he believes the methodology proposed in the amendment to reduce the nursing facility reimbursement rate violates federal law for failing to ensure Medicaid recipients have adequate access to services by having payments inconsistent with efficiency, economy, and quality of care.

**RESPONSE:** The state complies with all federal and state laws in the administration of the Title XIX Medicaid nursing facility program, including when implementing a reimbursement change for the program. Based upon aggregate data from the nursing facilities, MHD does not foresee that diminished access will result from the rate reduction. Currently, based upon this data, nursing facilities are only at seventy-four percent (74%) of their Medicaid capacity with nearly thirteen thousand (13,000) Medicaid beds unoccupied throughout the state. With the current availability of Medicaid beds at facilities, there is no apparent access issue at this time. MHD feels the proposed payment rate reduction will maintain a level of efficiency, economy, and quality of care for participants in a nursing facility. However, in accordance with federal guidelines, MHD will continue to monitor access. MHD has not made a change to the proposed amendment as a result of this comment.

**COMMENT #3:** Mr. Tettlebaum commented that he believes the methodology proposed in the amendment to reduce the nursing facility reimbursement rate violates the prohibition on laws which impair the obligations of contracts as proscribed by the *Missouri* and *United States Constitutions* because the rate reduction may result in lower reimbursement to providers that may impose upon their contractual obligations with various vendors.

**RESPONSE:** MHD is required to operate its program within the guidelines and appropriation set by the General Assembly and state budget. The power of appropriation rests with the General Assembly, and MHD can only withdraw from the State Treasury what has been appropriated. Mo. Const. art. IV, section 28. As discussed in MHD's response to Comment #1, HB 11 required a reduction to the nursing facility reimbursement per diem which the proposed amendment seeks to effectuate. MHD has not made a change to the proposed amendment as a result of this comment.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2220—State Board of Pharmacy  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Pharmacy under sections 338.140, 338.210, 338.220, 338.240, and 338.280, RSMo 2016, the board amends a rule as follows:

**20 CSR 2220-2.650** Standards of Operation for a Class J: Shared Services Pharmacy **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2017 (42 MoReg 1240–1243). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**T**his section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

## Schedule of Compensation as Required by Section 105.005, RSMo

<u>Office</u>	<u>RSMo Citation</u>	<u>Statutory Salary FY 2018</u>
<u>Elected Officials</u>		
Governor	26.010	\$133,821
Lt. Governor	26.010	86,484
Attorney General	27.010	116,437
Secretary of State	28.010	107,746
State Treasurer	30.010	107,746
State Auditor	29.010	107,746
<u>General Assembly</u>		
Senator	21.140	35,915
Representative	21.140	35,915
Speaker of House	21.140	38,415
President Pro Tem of Senate	21.140	38,415
Speaker Pro Tem of the House	21.140	37,415
Majority Floor Leader of House	21.140	37,415
Majority Floor Leader of Senate	21.140	37,415
Minority Floor Leader of House	21.140	37,415
Minority Floor Leader of Senate	21.140	37,415
<u>State Tax Commissioners</u>	138.230	108,759
<u>Administrative Hearing Commissioners</u>	621.015	106,039
<u>Labor and Industrial Relations</u>		
<u>Commissioners</u>	286.005	108,759
<u>Division of Workers' Compensation</u>		
Chief Legal Counsel *	287.615	112,196
Administrative Law Judge *	287.615	123,971
Administrative Law Judge in Charge *	287.615	128,971
Director, Division of Workers' Compensation*	287.615	130,971
<u>Public Service Commissioners</u>	386.150	108,759

	<u>RSMo Citation</u>	<u>Executive Level FY 2018</u>
<u>Statutory Department Directors</u>		
Administration, Agriculture, Corrections, Economic Development, Labor and Industrial Relations, Natural Resources, Public Safety, Revenue, and Social Services	105.950	I \$88,212 - \$128,244
<u>Probation and Parole</u>		
Chairman	217.665	III \$74,220 - \$107,520
<u>Board Members</u>		
		IV \$69,528 - \$98,436

\*Division of Workers' Compensation salaries are tied to those of Associate Circuit Judges, subject to appropriation; actual salaries may be less.

**Schedule of Compensation as Required by Section 476.405, RSMo**

	<u>RSMo Citation</u>	<u>Highest Salary FY 2018</u>
<b><u>Supreme Court</u></b>		
Chief Justice	477.130	\$181,677
Judges	477.130	173,742
<b><u>Court of Appeals</u></b>		
Judges	477.130	158,848
<b><u>Circuit Court</u></b>		
Circuit Court Judges	478.013	149,723
Associate Circuit Judges	478.018	137,745
<b><u>Juvenile Officers</u></b>	211.381	
Juvenile Officer		49,062
Chief Deputy Juvenile Officer		42,721
Deputy Juvenile Officer Class 1		38,121
Deputy Juvenile Officer Class 2		34,759
Deputy Juvenile Officer Class 3		31,742
<b><u>Court Reporters</u></b>	485.060	58,322
<b><u>Probate Commissioner *</u></b>	478.266	149,723
	& 478.267	
Deputy Probate Commissioner *	478.266	137,745
<b><u>Family Court Commissioner *</u></b>	211.023	137,745
	& 487.020	
<b><u>Circuit Clerk</u></b>		
1st Class Counties	483.083	71,846
St. Louis City	483.083	115,850
Jackson, Jasper & Cape Girardeau	483.083	76,145
2nd & 4th Class Counties	483.083	64,800
3rd Class Counties	483.083	56,752
Marion-Hannibal & Palmyra	483.083	63,798
Randolph	483.083	61,981

\*Salaries are tied to those of Circuit and Associate Circuit Judges, subject to appropriation.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**IN ADDITION**

Pursuant to section 226.096, RSMo, regarding the Construction Claims Binding Arbitration Cap for the Missouri Department of Transportation, the Director of Insurance, Financial Institutions and Professional Registration is required to calculate the new limit.

Using Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 226.096, RSMo, the Construction Claims Binding Arbitration Cap for the Missouri Department of Transportation effective January 1, 2018, was established by the following calculation:

Index Based on 2009 Dollars	
Third Quarter 2016 IPD Index	111.029
Third Quarter 2017 IPD Index	112.687

New 2018 Limit = 2017 Limit  $\times$  (2017 Index/2016 Index)

$$429,225 = 422,910 \times (112.687/111.029)$$

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**IN ADDITION**

Pursuant to section 537.610, RSMo, regarding the Sovereign Immunity Limits for Missouri Public Entities, the Director of Insurance, Financial Institutions and Professional Registration is required to calculate the new limit on awards for liability.

Using Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 537.610, RSMo, the two (2) new Sovereign Immunity Limits effective January 1, 2018, were established by the following calculations:

Index Based on 2009 Dollars	
Third Quarter 2016 IPD Index	111.029
Third Quarter 2017 IPD Index	112.687

New 2018 Limit = 2017 Limit  $\times$  (2017 Index/2016 Index)

For all claims arising out of a single accident or occurrence:  
 $2,804,046 = 2,762,789 \times (112.687/111.029)$

For any one (1) person in a single accident or occurrence:  
 $420,606 = 414,418 \times (112.687/111.029)$

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**IN ADDITION**

Pursuant to section 105.711, RSMo, regarding the State Legal Expense Fund, the Director of Insurance, Financial Institutions and Professional Registration is required to calculate the new limit.

Using Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 105.711, RSMo, the State Legal Expense Fund Limit effective January 1, 2018, was established by the following calculation:

Index Based on 2009 Dollars	
Third Quarter 2016 IPD Index	111.029
Third Quarter 2017 IPD Index	112.687

New 2018 Limit = 2017 Limit  $\times$  (2017 Index/2016 Index)

$$439,074 = 432,614 \times (112.687/111.029)$$

**T**he Secretary of State is required by sections 347.141 and 359.481, RSMo 2016, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to [adrules.dissolutions@sos.mo.gov](mailto:adrules.dissolutions@sos.mo.gov).

**NOTICE OF WINDING UP TO ALL  
CREDITORS AND CLAIMANTS AGAINST  
SHOWALTER LLC**

On October 10, 2017, SHOWALTER LLC filed its Notice of Winding Up with the Secretary of State of Missouri.

Persons with claims against the Company must send a description of the claim including the amount of the claim, the basis for the claim, and documentation of the claim to Ronald J. Showalter 411 Hall Avenue, Union, MO 63084.

Any claim will be barred unless a proceeding to enforce the claim is commenced within three years after the date of the publication of this notice.

**NOTICE OF DISSOLUTION OF CORPORATION**

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
ART OF THE CAR CONCOURS, a Missouri nonprofit corporation (the "Corporation").**

On November 6, 2017, the Corporation filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation, 4929 Main Street, Kansas City, Missouri 63112.

All claims must include the name and address of the claimant; the amount claimed; the basis for the claim; the date(s) on which the event(s) on which the claim is based occurred.

**NOTICE:** Any claims against the Corporation will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication date of the two notices authorized by statute, whichever is published last.

/S/

\_\_\_\_\_  
Marshall V. Miller, President



**NOTICE OF DISSOLUTION  
TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST  
THE CABINET COMPANY LLC**

On October 31, 2017, THE CABINET COMPANY LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

All claims must include: the name, address and telephone number of the claimant; the amount claimed; the basis of the claim; the date(s) on which the events occurred which provided the basis for the claim; and copies of any other supporting data. Claims should be in writing and mailed to the Company in care of AMANDA SAPIENZA, 938 Oakwood Farms Lane, Ballwin, MO 63021.

Any claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION  
TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST  
MVM RETREAT AT MILLS CREEK FUND, INC.**

MVM RETREAT AT MILLS CREEK FUND, INC., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on October 30, 2017. Any and all claims against MVM RETREAT AT MILLS CREEK FUND, INC. may be sent to Jonathan Goldstein, Advantage Capital, 190 Carondelet Plaza, Suite 1500, St. Louis, MO 63105. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against MVM RETREAT AT MILLS CREEK FUND, INC. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date of this notice is published.

**NOTICE OF DISSOLUTION  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
THE FIELD IN PACIFIC, LLC**

On October 30, 2017, THE FIELD IN PACIFIC, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

All claims must include: the name, address and telephone number of the claimant; the amount claimed; the basis of the claim; the date(s) on which the events occurred which provided the basis for the claim; and copies of any other supporting data. Claims should be in writing and mailed to the Company in care of R. LYNN BECKEMEIER, Attorney-at-Law, 13421 Manchester Road, Suite 103, St. Louis, MO 63131.

Any claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION  
TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST  
MVM FOREST VIEW FUND, INC.**

MVM FOREST VIEW FUND, INC., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on October 30, 2017. Any and all claims against MVM FOREST VIEW FUND, INC. may be sent to Jonathan Goldstein, Advantage Capital, 190 Carondelet Plaza, Suite 1500, St. Louis, MO 63105. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against MVM FOREST VIEW FUND, INC. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date of this notice is published.

**NOTICE OF DISSOLUTION  
TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST  
MVM LEGACY-ADA FUND, INC.**

MVM LEGACY-ADA, INC., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on October 30, 2017. Any and all claims against MVM LEGACY-ADA FUND, INC. may be sent to Jonathan Goldstein, Advantage Capital, 190 Carondelet Plaza, Suite 1500, St. Louis, MO 63105. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against MVM LEGACY-ADA FUND, INC. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date of this notice is published.

**NOTICE OF DISSOLUTION  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
THE FIELD MANAGEMENT COMPANY, LLC**

On October 30, 2017, THE FIELD MANAGEMENT COMPANY, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

All claims must include: the name, address and telephone number of the claimant; the amount claimed; the basis of the claim; the date(s) on which the events occurred which provided the basis for the claim; and copies of any other supporting data. Claims should be in writing and mailed to the Company in care of R. LYNN BECKEMEIER, Attorney-at-Law, 13421 Manchester Road, Suite 103, St. Louis, MO 63131.

Any claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL  
CREDITORS AND CLAIMANTS AGAINST  
PUTNAM REAL ESTATE, LLC**

Putnam Real Estate, LLC a Missouri limited liability company, was dissolved on November 7, 2017. Any and all claims against Putnam Real Estate, LLC should be forwarded to John L. Putnam, MD, 4350 S. National Ave., Springfield, Missouri 65810 within 3 years. Each claim should include the following: (i) the name, address and telephone number of the claimant; (ii) the amount of the claim; (iii) the basis for the claim; and (iv) the date(s) on which the event(s) on which the claim is based occurred. Any claims against Putnam Real Estate, LLC will be barred unless a proceeding to enforce the claim is commenced within 3 years after the publication of this notice.

**NOTICE OF DISSOLUTION  
TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST  
MVM FINLEY COTTAGES FUND, INC.**

MVM FINLEY COTTAGES FUND, INC., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on November 8, 2017. Any and all claims against MVM FINLEY COTTAGES FUND, INC. may be sent to Jonathan Goldstein, Advantage Capital, 190 Carondelet Plaza, Suite 1500, St. Louis, MO 63105. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against MVM FINLEY COTTAGES FUND, INC. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date of this notice is published.

**NOTICE OF DISSOLUTION  
TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST  
MVM MASON MANOR FUND, INC.**

MVM MASON MANOR FUND, INC., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on November 8, 2017. Any and all claims against MVM MASON MANOR FUND, INC. may be sent to Jonathan Goldstein, Advantage Capital, 190 Carondelet Plaza, Suite 1500, St. Louis, MO 63105. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against MVM MASON MANOR FUND, INC. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date of this notice is published.

**Notice of Winding Up of Limited Liability Company  
to All Creditors of and All Claimants Against  
USB SLDC X Investment Fund, LLC**

On November 15, 2017, USB SLDC X Investment Fund, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company must be sent to: Friends of Confluence Academy, 611 North 10<sup>th</sup> Street, Suite 550, St. Louis, Missouri. Each claim must include the name, address and phone number of the claimant; the amount and nature of the claim; the date on which the claim arose; and any claim documentation.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the date of publication of this notice.

**Notice of Dissolution of Limited Liability Company To All Creditors of and Claimants  
Against HABU, LLC**

On November 14, 2017, HABU, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Hamilton Weber LLC, Attn: John Kilper, 200 N. Third St., St. Charles, MO 63301. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

# Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—41 (2016) and 42 (2017). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	<b>OFFICE OF ADMINISTRATION</b>				
1 CSR 20-5.015	State Officials' Salary Compensation Schedule				This Issue
	Personnel Advisory Board and Division of Personnel		41 MoReg 1538		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		41 MoReg 1539		
	<b>DEPARTMENT OF AGRICULTURE</b>				
2 CSR 90-10	Weights, Measures and Consumer Protection				42 MoReg 1203
2 CSR 100-12.010	Missouri Agricultural and Small Business Development Authority		42 MoReg 1027	42 MoReg 1607	
	<b>DEPARTMENT OF CONSERVATION</b>				
3 CSR 10-3.010	Conservation Commission		42 MoReg 1363		
3 CSR 10-5.425	Conservation Commission		42 MoReg 1363		
3 CSR 10-8.510	Conservation Commission		42 MoReg 1364		
3 CSR 10-9.110	Conservation Commission		42 MoReg 1364		
3 CSR 10-9.625	Conservation Commission		42 MoReg 1365		
3 CSR 10-10.727	Conservation Commission		42 MoReg 1365		
3 CSR 10-10.744	Conservation Commission		42 MoReg 1366		
3 CSR 10-10.767	Conservation Commission		42 MoReg 1366		
3 CSR 10-11.180	Conservation Commission		42 MoReg 1366		
3 CSR 10-12.110	Conservation Commission		42 MoReg 1368		
3 CSR 10-12.115	Conservation Commission		42 MoReg 1368		
3 CSR 10-12.135	Conservation Commission		42 MoReg 1368		
3 CSR 10-20.805	Conservation Commission		42 MoReg 1372		
	<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>				
4 CSR 240-3.050	Public Service Commission		42 MoReg 1641R		
4 CSR 240-3.163	Public Service Commission		42 MoReg 1231R		
4 CSR 240-3.164	Public Service Commission		42 MoReg 1231R		
4 CSR 240-10.075	Public Service Commission		42 MoReg 1641		
4 CSR 240-18.010	Public Service Commission		42 MoReg 1232		
4 CSR 240-120.011	Public Service Commission		42 MoReg 1145		
4 CSR 240-120.031	Public Service Commission		42 MoReg 1146		
4 CSR 240-120.060	Public Service Commission		42 MoReg 1146		
4 CSR 240-120.065	Public Service Commission		42 MoReg 1147		
4 CSR 240-120.070	Public Service Commission		42 MoReg 1151		
4 CSR 240-120.080	Public Service Commission		42 MoReg 1151		
4 CSR 240-120.085	Public Service Commission		42 MoReg 1151		
4 CSR 240-120.090	Public Service Commission		42 MoReg 1156		
4 CSR 240-120.100	Public Service Commission		42 MoReg 1158		
4 CSR 240-120.110	Public Service Commission		42 MoReg 1158		
4 CSR 240-120.120	Public Service Commission		42 MoReg 1159		
4 CSR 240-120.130	Public Service Commission		42 MoReg 1159		
4 CSR 240-120.140	Public Service Commission		42 MoReg 1160		
4 CSR 240-121.010	Public Service Commission		42 MoReg 1161		
4 CSR 240-121.020	Public Service Commission		42 MoReg 1161		
4 CSR 240-121.030	Public Service Commission		42 MoReg 1162		
4 CSR 240-121.040	Public Service Commission		42 MoReg 1163		
4 CSR 240-121.050	Public Service Commission		42 MoReg 1163		
4 CSR 240-121.060	Public Service Commission		42 MoReg 1164		
4 CSR 240-121.180	Public Service Commission		42 MoReg 1164		
4 CSR 240-123.010	Public Service Commission		42 MoReg 1164		
4 CSR 240-123.020	Public Service Commission		42 MoReg 1165		
4 CSR 240-123.030	Public Service Commission		42 MoReg 1166		
4 CSR 240-123.040	Public Service Commission		42 MoReg 1167		
4 CSR 240-123.050	Public Service Commission		42 MoReg 1169		
4 CSR 240-123.060	Public Service Commission		42 MoReg 1169		
4 CSR 240-123.065	Public Service Commission		42 MoReg 1170		
4 CSR 240-123.070	Public Service Commission		42 MoReg 1174		
4 CSR 240-123.080	Public Service Commission		42 MoReg 1174		
4 CSR 240-123.090	Public Service Commission		42 MoReg 1175		
4 CSR 240-123.095	Public Service Commission		42 MoReg 1176		
4 CSR 240-124.010	Public Service Commission		42 MoReg 1180		
4 CSR 240-124.020	Public Service Commission		42 MoReg 1180		
4 CSR 240-124.030	Public Service Commission		42 MoReg 1180		
4 CSR 240-124.040	Public Service Commission		42 MoReg 1181		
4 CSR 240-124.045	Public Service Commission		42 MoReg 1182		
4 CSR 240-124.050	Public Service Commission		42 MoReg 1184		
4 CSR 240-124.060	Public Service Commission		42 MoReg 1185		
4 CSR 240-125.010	Public Service Commission		42 MoReg 1185		
4 CSR 240-125.020	Public Service Commission		42 MoReg 1186		
4 CSR 240-125.040	Public Service Commission		42 MoReg 1187		
4 CSR 240-125.050	Public Service Commission		42 MoReg 1187		
4 CSR 240-125.060	Public Service Commission		42 MoReg 1188		
4 CSR 240-125.070	Public Service Commission		42 MoReg 1189		
4 CSR 240-125.090	Public Service Commission		42 MoReg 1192		
4 CSR 240-126.010	Public Service Commission		42 MoReg 1192		
4 CSR 240-126.020	Public Service Commission		42 MoReg 1193		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-127.010	Public Service Commission		42 MoReg 1194		
4 CSR 340-2	Division of Energy				42 MoReg 749
4 CSR 340-6.010	Division of Energy		41 MoReg 1908		
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 20-100.210	Division of Learning Services		42 MoReg 1071	42 MoReg 1797	
5 CSR 20-300.110	Division of Learning Services		N.A.	42 MoReg 1797	
5 CSR 20-300.150	Division of Learning Services		42 MoReg 1072R	42 MoReg 1798R	
5 CSR 20-400.640	Division of Learning Services		42 MoReg 1581		
5 CSR 20-500.310	Division of Learning Services		42 MoReg 1760R		
5 CSR 20-500.340	Division of Learning Services		42 MoReg 1760R		
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR	Department of Transportation				41 MoReg 845
7 CSR 10-1.010	Missouri Highways and Transportation Commission		42 MoReg 1643		
7 CSR 10-3.010	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-3.020	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-3.030	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-4.010	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-4.020	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-5.010	Missouri Highways and Transportation Commission		42 MoReg 1412		
7 CSR 10-6.020	Missouri Highways and Transportation Commission		42 MoReg 1413		
7 CSR 10-6.030	Missouri Highways and Transportation Commission		42 MoReg 1414		
7 CSR 10-6.040	Missouri Highways and Transportation Commission		42 MoReg 1415		
7 CSR 10-6.050	Missouri Highways and Transportation Commission		42 MoReg 1416		
7 CSR 10-6.060	Missouri Highways and Transportation Commission		42 MoReg 1417		
7 CSR 10-6.070	Missouri Highways and Transportation Commission		42 MoReg 1418		
7 CSR 10-6.080	Missouri Highways and Transportation Commission		42 MoReg 1419		
7 CSR 10-6.085	Missouri Highways and Transportation Commission		42 MoReg 1420		
7 CSR 10-6.090	Missouri Highways and Transportation Commission		42 MoReg 1423		
7 CSR 10-6.100	Missouri Highways and Transportation Commission		42 MoReg 1424		
7 CSR 10-7.010	Missouri Highways and Transportation Commission		42 MoReg 1645		
7 CSR 10-12.010	Missouri Highways and Transportation Commission		42 MoReg 1646		
7 CSR 10-12.020	Missouri Highways and Transportation Commission		42 MoReg 1646		
7 CSR 10-12.030	Missouri Highways and Transportation Commission		42 MoReg 1647		
7 CSR 10-17.020	Missouri Highways and Transportation Commission		42 MoReg 1648		
7 CSR 10-17.030	Missouri Highways and Transportation Commission		42 MoReg 1651		
7 CSR 10-17.040	Missouri Highways and Transportation Commission		42 MoReg 1652		
7 CSR 10-17.050	Missouri Highways and Transportation Commission		42 MoReg 1653		
7 CSR 10-17.060	Missouri Highways and Transportation Commission		42 MoReg 1654		
7 CSR 10-18.020	Missouri Highways and Transportation Commission		42 MoReg 91		
			42 MoReg 1655		
7 CSR 10-19.010	Missouri Highways and Transportation Commission		42 MoReg 93R		
7 CSR 10-27.020	Missouri Highways and Transportation Commission		42 MoReg 1656		
7 CSR 10-27.040	Missouri Highways and Transportation Commission		42 MoReg 1656		
7 CSR 60-2.010	Traffic and Highway Safety Division		41 MoReg 1688		
7 CSR 60-2.020	Traffic and Highway Safety Division		41 MoReg 1689		
7 CSR 60-2.030	Traffic and Highway Safety Division		41 MoReg 1690		
7 CSR 60-2.040	Traffic and Highway Safety Division		41 MoReg 1695		
7 CSR 60-2.050	Traffic and Highway Safety Division		41 MoReg 1699		
7 CSR 60-2.060	Traffic and Highway Safety Division		41 MoReg 1699		
7 CSR 265-9.010	Motor Carrier and Railroad Safety		42 MoReg 1657		
7 CSR 265-9.020	Motor Carrier and Railroad Safety		42 MoReg 1658		
7 CSR 265-9.040	Motor Carrier and Railroad Safety		42 MoReg 1659R		
7 CSR 265-9.050	Motor Carrier and Railroad Safety		42 MoReg 1659		
7 CSR 265-9.060	Motor Carrier and Railroad Safety		42 MoReg 1660R		
7 CSR 265-9.070	Motor Carrier and Railroad Safety		42 MoReg 1660		
7 CSR 265-9.090	Motor Carrier and Railroad Safety		42 MoReg 1661R		
7 CSR 265-9.100	Motor Carrier and Railroad Safety		42 MoReg 1661		
7 CSR 265-9.110	Motor Carrier and Railroad Safety		42 MoReg 1661		
7 CSR 265-9.130	Motor Carrier and Railroad Safety		42 MoReg 1662		
7 CSR 265-9.140	Motor Carrier and Railroad Safety		42 MoReg 1662R		
7 CSR 265-9.150	Motor Carrier and Railroad Safety		42 MoReg 1663R		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR	Department of Labor and Industrial Relations				41 MoReg 845
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR	Department of Mental Health				41 MoReg 845
9 CSR 45-4.010	Division of Developmental Disabilities		42 MoReg 1761		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR	Department of Natural Resources				41 MoReg 845
10 CSR 10-6.250	Air Conservation Commission		40 MoReg 1023	41 MoReg 37	
10 CSR 20-7.031	Clean Water Commission		42 MoReg 1424		
10 CSR 30-1.010	Land Survey		42 MoReg 1584R		
10 CSR 30-2.010	Land Survey		42 MoReg 1584R		
10 CSR 30-2.020	Land Survey		42 MoReg 1584R		
10 CSR 30-2.030	Land Survey		42 MoReg 1585R		
10 CSR 30-2.040	Land Survey		42 MoReg 1585R		
10 CSR 30-2.050	Land Survey		42 MoReg 1585R		
10 CSR 30-2.060	Land Survey		42 MoReg 1585R		
10 CSR 30-2.070	Land Survey		42 MoReg 1586R		
10 CSR 30-2.080	Land Survey		42 MoReg 1586R		
10 CSR 30-2.090	Land Survey		42 MoReg 1586R		
10 CSR 30-2.100	Land Survey		42 MoReg 1587R		
10 CSR 30-2.110	Land Survey		42 MoReg 1587R		
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR	Department of Public Safety				42 MoReg 990
11 CSR 30-16.010	Office of the Director		42 MoReg 180		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
11 CSR 30-16.020	Office of the Director		42 MoReg 182		
11 CSR 45-4.020	Missouri Gaming Commission		41 MoReg 1543		
11 CSR 45-5.053	Missouri Gaming Commission		41 MoReg 1543		
11 CSR 45-9.120	Missouri Gaming Commission		41 MoReg 1544		
11 CSR 50-2.010	Missouri State Highway Patrol	42 MoReg 1751	42 MoReg 1764		
11 CSR 75-15.020	Peace Officer Standards and Training Program		42 MoReg 1031	42 MoReg 1607	
<b>DEPARTMENT OF REVENUE</b>					
12 CSR	Department of Revenue				42 MoReg 990
12 CSR 10-23.600	Director of Revenue	42 MoReg 1223	42 MoReg 1196	42 MoReg 1668	
12 CSR 10-24.200	Director of Revenue		42 MoReg 1232	42 MoReg 1799	
12 CSR 10-41.010	Director of Revenue	42 MoReg 1752	42 MoReg 1765		
12 CSR 30-4.010	State Tax Commission		41 MoReg 160		
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR	Department of Social Services				42 MoReg 990
13 CSR 40-2.030	Family Support Division	42 MoReg 1057	42 MoReg 1072	42 MoReg 1799	
13 CSR 40-2.080	Family Support Division		42 MoReg 1587		
13 CSR 40-8.020	Family Support Division	42 MoReg 1060	42 MoReg 1086	42 MoReg 1799	
13 CSR 40-34.070	Family Support Division		42 MoReg 1588R		
13 CSR 40-91.040	Family Support Division		This IssueR		
13 CSR 70-3.030	MO HealthNet Division		42 MoReg 1589		
13 CSR 70-10.016	MO HealthNet Division	41 MoReg 1054			
		42 MoReg 1225	42 MoReg 1233	This Issue	
13 CSR 70-10.030	MO HealthNet Division	42 MoReg 1356	42 MoReg 1377		
13 CSR 70-10.150	MO HealthNet Division		This IssueR		
13 CSR 70-15.010	MO HealthNet Division	42 MoReg 1061	42 MoReg 1097	42 MoReg 1799	
13 CSR 70-15.090	MO HealthNet Division		This Issue		
13 CSR 70-15.110	MO HealthNet Division	42 MoReg 1063	42 MoReg 1101	42 MoReg 1799	
13 CSR 70-91.020	MO HealthNet Division		This IssueR		
13 CSR 70-96.010	MO HealthNet Division		This IssueR		
<b>DEPARTMENT OF CORRECTIONS</b>					
14 CSR	Department of Corrections				42 MoReg 990
14 CSR 80-3.020	State Board of Probation and Parole		42 MoReg 1768		
<b>ELECTED OFFICIALS</b>					
15 CSR 30-120.010	Secretary of State	42 MoReg 1297	42 MoReg 1318		
15 CSR 30-120.020	Secretary of State	42 MoReg 1298	42 MoReg 1318		
15 CSR 30-120.030	Secretary of State	42 MoReg 1298	42 MoReg 1319		
15 CSR 30-120.040	Secretary of State	42 MoReg 1299	42 MoReg 1320		
15 CSR 30-120.050	Secretary of State	42 MoReg 1299	42 MoReg 1320		
15 CSR 30-120.060	Secretary of State	42 MoReg 1300	42 MoReg 1321		
15 CSR 30-120.070	Secretary of State	42 MoReg 1301	42 MoReg 1321		
15 CSR 40-3.170	State Auditor	42 MoReg 1017	42 MoReg 1031	42 MoReg 1607	
15 CSR 60-10.030	Attorney General		42 MoReg 974	42 MoReg 1611	
<b>RETIREMENT SYSTEMS</b>					
16 CSR 10-5.010	The Public School Retirement System of Missouri		42 MoReg 1552		
16 CSR 10-6.060	The Public School Retirement System of Missouri		42 MoReg 1553		
16 CSR 50-2.010	The County Employees' Retirement Fund		42 MoReg 1591		
16 CSR 50-2.030	The County Employees' Retirement Fund		42 MoReg 1592		
16 CSR 50-2.140	The County Employees' Retirement Fund		42 MoReg 1107	42 MoReg 1669	
16 CSR 50-20.120	The County Employees' Retirement Fund		42 MoReg 1107	42 MoReg 1669	
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 10-10	Office of the Director				42 MoReg 991
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19 CSR 15-8.410	Division of Senior and Disability Services		40 MoReg 131		
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19 CSR 30-30.070	Division of Regulation and Licensure		42 MoReg 1789		
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19 CSR 30-40.720	Division of Regulation and Licensure	42 MoReg 1302	42 MoReg 1322		
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20 CSR	Applied Behavior Analysis Maximum Benefit				42 MoReg 321
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20 CSR 2010-2.160	Missouri State Board of Accountancy		42 MoReg 1790		
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20 CSR 2070-2.090	State Board of Chiropractic Examiners	41 MoReg 1525			
20 CSR 2110-2.001	Missouri Dental Board		42 MoReg 1107	42 MoReg 1669	
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20 CSR 2200-4.025	State Board of Nursing		42 MoReg 1664R		
20 CSR 2200-4.026	State Board of Nursing		42 MoReg 1664R		
20 CSR 2200-4.027	State Board of Nursing		42 MoReg 1664R		
20 CSR 2200-4.028	State Board of Nursing		42 MoReg 1664R		
20 CSR 2200-4.029	State Board of Nursing		42 MoReg 1665R		
20 CSR 2200-6.060	State Board of Nursing		42 MoReg 1327		
20 CSR 2205-5.010	Missouri Board of Occupational Therapy		This Issue		
20 CSR 2220-2.025	State Board of Pharmacy		42 MoReg 1665		
20 CSR 2220-2.650	State Board of Pharmacy	42 MoReg 1227	42 MoReg 1240	This Issue	
20 CSR 2233-1.040	State Committee of Marital and Family Therapists	42 MoReg 1065	42 MoReg 1108	42 MoReg 1669	
20 CSR 2245-2.050	Real Estate Appraisers		This Issue		
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20 CSR 2263-2.060	State Committee for Social Workers		42 MoReg 1599		
20 CSR 2263-2.082	State Committee for Social Workers		42 MoReg 1602		
20 CSR 2263-2.085	State Committee for Social Workers		42 MoReg 1602		
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22 CSR 10-2.094	Health Care Plan	42 MoReg 1358R	42 MoReg 1382R		
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22 CSR 10-2.120	Health Care Plan	42 MoReg 1359R	42 MoReg 1383R		
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22 CSR 10-2.135	Health Care Plan	42 MoReg 1756	42 MoReg 1794		
22 CSR 10-3.090	Health Care Plan	42 MoReg 1757	42 MoReg 1794		
22 CSR 10-3.135	Health Care Plan	42 MoReg 1758	42 MoReg 1795		



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<b>2 CSR 30-10.010</b>	Inspection of Meat and Poultry . . . . .	42 MoReg 709 . . . . .	April 3, 2017 . . . . .Jan. 10, 2018
<b>Department of Public Safety</b>			
<b>Missouri State Highway Patrol</b>			
<b>11 CSR 50-2.010</b>	Definitions . . . . .	42 MoReg 1751 . . . . .	Oct. 29, 2017 . . . . .April 26, 2018
<b>Department of Revenue</b>			
<b>Director of Revenue</b>			
<b>12 CSR 10-23.600</b>	Complaint, Inspection, and Disciplinary Process for Transportation Network Companies . . . . .	42 MoReg 1223 . . . . .	Aug. 28, 2017 . . . . .Feb. 23, 2018
<b>12 CSR 10-41.010</b>	Annual Adjusted Rate of Interest . . . . .	42 MoReg 1752 . . . . .	Jan. 1, 2018 . . . . .June 29, 2018
<b>Department of Social Services</b>			
<b>Family Support Division</b>			
<b>13 CSR 40-2.030</b>	Definitions Relating to Real and Personal Property . . . . .	42 MoReg 1057 . . . . .	July 1, 2017 . . . . .Feb. 22, 2018
<b>13 CSR 40-8.020</b>	Ways of Treating Income and Assets . . . . .	42 MoReg 1060 . . . . .	July 1, 2017 . . . . .Feb. 22, 2018
<b>MO HealthNet Division</b>			
<b>13 CSR 70-10.016</b>	Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates . . . . .	42 MoReg 1225 . . . . .	Aug. 1, 2017 . . . . .Feb. 22, 2018
<b>13 CSR 70-10.030</b>	Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/IID Services . . . . .	42 MoReg 1356 . . . . .	Sept. 1, 2017 . . . . .Feb. 27, 2018
<b>13 CSR 70-15.010</b>	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology . . . . .	42 MoReg 1061 . . . . .	July 1, 2017 . . . . .Feb. 22, 2018
<b>13 CSR 70-15.110</b>	Federal Reimbursement Allowance (FRA) . . . . .	42 MoReg 1063 . . . . .	July 1, 2017 . . . . .Feb. 22, 2018
<b>Elected Officials</b>			
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<b>15 CSR 30-3.010</b>	Voter Identification Affidavit (Res) . . . . .	42 MoReg 956 . . . . .	June 1, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-3.020</b>	Provisional Ballots and Envelopes for Registered Voters under Voter Identification Law . . . . .	42 MoReg 957 . . . . .	June 1, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-3.030</b>	Procedures for Registered Voters Returning to the Polling Place with Identification . . . . .	42 MoReg 958 . . . . .	June 2, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-3.040</b>	Procedures for Identity Verification for Provisional Ballots for Registered Voters under Voter Identification Law, Counting Approved Ballots, and Recordkeeping . . . . .	42 MoReg 958 . . . . .	June 1, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-3.050</b>	Voter Inquiries as to Whether Provisional Ballot for Registered Voter was Counted . . . . .	42 MoReg 959 . . . . .	June 1, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-3.100</b>	Procedures for Obtaining One (1) Copy of Documents Needed to Obtain Free Personal Identification for Voting . . . . .	42 MoReg 960 . . . . .	June 1, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-120.010</b>	Definitions . . . . .	42 MoReg 1297 . . . . .	Aug. 28, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-120.020</b>	Application to Register as a Family Trust Company . . . . .	42 MoReg 1298 . . . . .	Aug. 28, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-120.030</b>	Application to Register as a Foreign Family Trust Company . . . . .	42 MoReg 1298 . . . . .	Aug. 28, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-120.040</b>	Annual Registration Report . . . . .	42 MoReg 1299 . . . . .	Aug. 28, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-120.050</b>	Records . . . . .	42 MoReg 1299 . . . . .	Aug. 28, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-120.060</b>	Examination . . . . .	42 MoReg 1300 . . . . .	Aug. 28, 2017 . . . . .Feb. 22, 2018
<b>15 CSR 30-120.070</b>	Application Process and Forms . . . . .	42 MoReg 1301 . . . . .	Aug. 28, 2017 . . . . .Feb. 22, 2018
<b>State Auditor</b>			
<b>15 CSR 40-3.170</b>	Addendum Filed with the Auditor's Office . . . . .	42 MoReg 1017 . . . . .	June 26, 2017 . . . . .Dec. 22, 2018
<b>Department of Health and Senior Services</b>			
<b>Office of the Director</b>			
<b>19 CSR 10-15.050</b>	Complication Plans for Certain Drug- and Chemically- Induced Abortions by Physicians Via Hospitals . . . . .	42 MoReg 1752 . . . . .	Nov. 3, 2017 . . . . .May 1, 2018
<b>Division of Community and Public Health</b>			
<b>19 CSR 20-1.040</b>	Good Manufacturing Practices . . . . .	42 MoReg 1639 . . . . .	Oct. 23, 2017 . . . . .April 20, 2018

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<b>Division of Regulation and Licensure</b>			
<b>19 CSR 30-30.061</b>	Complication Plans for Certain Drug- and Chemically-Induced Abortions Via Abortion Facilities . . . . .	42 MoReg 1754 . . . . .Nov. 3, 2017 . . . . .	May 1, 2018
<b>19 CSR 30-40.309</b>	Application and Licensure Requirements Standards for the Licensure and Relicensure of Ground Ambulance Services . . . . .	42 MoReg 709 . . . . .March 26, 2017 . . . . .	Jan. 3, 2018
<b>19 CSR 30-40.720</b>	Stroke Center Designation Application and Review . . . . .	42 MoReg 1302 . . . . .Aug. 17, 2017 . . . . .	Feb. 22, 2018
<b>19 CSR 30-81.030</b>	Evaluation and Assessment Measures for Title XIX Recipients and Applicants in Long-Term Care Facilities . . . . .	42 MoReg 1137 . . . . .July 15, 2017 . . . . .	Feb. 22, 2018
<b>Department of Insurance, Financial Institutions and Professional Registration</b>			
<b>State Board of Nursing</b>			
<b>20 CSR 2200-4.020</b>	Requirements for Licensure . . . . .	42 MoReg 861 . . . . .May 9, 2017 . . . . .	Feb. 15, 2018
<b>State Board of Pharmacy</b>			
<b>20 CSR 2220-2.650</b>	Standards of Operation for a Class J: Shared Services Pharmacy . . . . .	42 MoReg 1227 . . . . .Aug. 6, 2017 . . . . .	Feb. 22, 2018
<b>State Committee of Marital and Family Therapists</b>			
<b>20 CSR 2233-1.040</b>	Fees . . . . .	42 MoReg 1065 . . . . .Aug. 1, 2017 . . . . .	Feb. 22, 2018
<b>Missouri Consolidated Health Care Plan</b>			
<b>Health Care Plan</b>			
<b>22 CSR 10-2.030</b>	Contributions . . . . .	42 MoReg 1755 . . . . .Jan. 1, 2018 . . . . .	June 29, 2018
<b>22 CSR 10-2.089</b>	Pharmacy Employer Group Waiver Plan for Medicare Primary Members . . . . .	42 MoReg 1756 . . . . .Jan. 1, 2018 . . . . .	June 29, 2018
<b>22 CSR 10-2.094</b>	Tobacco-Free Incentive Provisions and Limitations (Res.) . . . . .	42 MoReg 1358 . . . . .Oct. 1, 2017 . . . . .	March 29, 2018
<b>22 CSR 10-2.094</b>	Tobacco-Free Incentive Provisions and Limitations . . . . .	42 MoReg 1358 . . . . .Oct. 1, 2017 . . . . .	March 29, 2018
<b>22 CSR 10-2.120</b>	Partnership Incentive Provisions and Limitations (Res.) . . . . .	42 MoReg 1359 . . . . .Oct. 1, 2017 . . . . .	March 29, 2018
<b>22 CSR 10-2.120</b>	Partnership Incentive Provisions and Limitations . . . . .	42 MoReg 1359 . . . . .Oct. 1, 2017 . . . . .	March 29, 2018
<b>22 CSR 10-2.135</b>	Benefit Package Option . . . . .	42 MoReg 1756 . . . . .Nov. 6, 2017 . . . . .	May 4, 2018
<b>22 CSR 10-3.090</b>	Pharmacy Benefit Summary . . . . .	42 MoReg 1757 . . . . .Jan. 1, 2018 . . . . .	June 29, 2018
<b>22 CSR 10-3.135</b>	Benefit Package Option . . . . .	42 MoReg 1758 . . . . .Nov. 6, 2017 . . . . .	May 4, 2018

# Executive Orders

Executive Orders	Subject Matter	Filed Date	Publication
<u>2017</u>			
17-24	Designates members of the governor's staff to have supervisory authority over departments, division, and agencies of state government.	Nov. 17, 2017	Next Issue
17-23	Advises that state offices will be closed on Friday, November 24, 2017.	Nov. 1, 2017	42 MoReg 1640
17-22	Implements the Emergency Mutual Assistance Compact and activates the state militia to aid the U.S. Virgin Islands in response to Hurricane Maria.	Sept. 20, 2017	42 MoReg 1579
17-21	Governor activates the state militia in anticipation of unrest in the St. Louis region.	Sept. 14, 2017	42 MoReg 1411
17-20	Governor establishes a board of inquiry to review evidence and provide a recommendation on the death sentence for inmate Marcellus Williams.	Aug. 22, 2017	42 MoReg 1361
<b>Proclamation</b>	Governor notifies the General Assembly that he is reducing appropriation lines in the fiscal year 2018 budget and permanently reducing appropriation lines in the fiscal year 2017 budget.	Aug. 1, 2017	42 MoReg 1307
17-19	Directs the Department of Health and Senior Services, the Department of Mental Health, the Department of Public Safety, the Department of Natural Resources, and the Department of Conservation to identify, train, equip, and assess law enforcement and emergency responder efforts to combat Missouri's Opioid Public Health Crisis.	July 18, 2017	42 MoReg 1229
17-18	Directs the Department of Health and Senior Services to create a prescription drug monitoring program.	July 17, 2017	42 MoReg 1143
<b>Amended Proclamation</b>	Governor convenes the Second Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding abortions facilities.	July 6, 2017	42 MoReg 1139
17-17	Creates the Missouri Justice Reinvest Taskforce to analyze Missouri's corrections system and recommend improvements.	June 28, 2017	42 MoReg 1067
<b>Proclamation</b>	Governor convenes the Second Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding abortions facilities.	June 7, 2017	42 MoReg 1024
<b>Proclamation</b>	Governor convenes the First Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding attracting new jobs to Missouri.	May 18, 2017	42 MoReg 1022
17-16	Temporarily grants the Director of the Missouri Department of Revenue discretionary authority to adjust certain rules and regulations.	May 11, 2017	42 MoReg 909
17-15	Temporarily grants the Director of the Missouri Department of Health and Senior Services discretionary authority to adjust certain rules and regulations.	May 8, 2017	42 MoReg 907
17-14	Temporarily grants the Director of the Missouri Department of Natural Resources discretionary authority to adjust certain environmental rules and regulations.	May 4, 2017	42 MoReg 905
17-13	Activates the state militia in response to severe weather that began on April 28, 2017.	April 30, 2017	42 MoReg 865
17-12	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to severe weather beginning on April 28, 2017.	April 28, 2017	42 MoReg 863
17-11	Establishes the Boards and Commissions Task Force to recommend comprehensive executive and legislative reform proposals to the governor by October 31, 2017.	April 11, 2017	42 MoReg 779
17-10	Designates members of the governor's staff to have supervisory authority over departments, division, and agencies of state government.	April 7, 2017	42 MoReg 777
17-09	Establishes parental leave for state employees of the executive branch of Missouri state government and encourages other state officials to adopt comparable policies.	March 13, 2017	42 MoReg 429
17-08	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to severe weather that began on March 6.	March 7, 2017	42 MoReg 427
17-07	Establishes the Governor's Committee for Simple, Fair, and Low Taxes to recommend proposed reforms to the governor by June 30, 2017.	January 25, 2017	42 MoReg 315
17-06	Orders that the Missouri State Emergency Operations Plan be activated. Further orders state agencies to provide assistance to the maximum extent practicable and directs the Adjutant General to call into service such portions of the organized militia as he deems necessary.	January 12, 2017	42 MoReg 267

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<b>17-05</b>	Activates the Missouri State Emergency Operation Center due to severe weather expected to begin on Jan. 12, 2017.	January 11, 2017	42 MoReg 266
<b>17-04</b>	Establishes the position of Chief Operating Officer to report directly to the governor and serve as a member of the governor's executive team.	January 11, 2017	42 MoReg 264
<b>17-03</b>	Orders every state agency to immediately suspend all rulemaking until Feb. 28, 2017, and to complete a review of every regulation under its jurisdiction within the <i>Code of State Regulations</i> by May 31, 2018.	January 10, 2017	42 MoReg 261
<b>17-02</b>	Orders state employees of the executive branch of Missouri state government to follow a specified code of conduct regarding ethics during the Greitens administration.	January 9, 2017	42 MoReg 258
<b>17-01</b>	Rescinds Executive Orders 07-10, 88-26, 98-15, and 05-40 regarding the Governor's Advisory Council on Physical Fitness and Health and the Missouri State Park Advisory Board.	January 6, 2017	42 MoReg 257

**2016**

<b>16-10</b>	Reauthorizes the Governor's Committee to End Chronic Homelessness until December 31, 2020.	December 30, 2016	42 MoReg 159
<b>16-09</b>	Advises that state offices in Cole County will be closed on Monday January 9, 2017.	December 23, 2016	42 MoReg 158
<b>16-08</b>	Advises that state offices will be closed on Friday, November 25, 2016.	October 24, 2016	41 MoReg 1659
<b>16-07</b>	Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operations Plan be activated as a result of storms that began on May 25, 2016. This order shall terminate on June 26, 2016, unless extended.	May 27, 2016	41 MoReg 830
<b>16-06</b>	Declares that the next Missouri Poet Laureate will be named in June 2016 and directs that a Missouri Poet Laureate be named biennially to serve for two years at the pleasure of the governor. The order also includes qualifications and responsibilities for the post. Additionally the Missouri Poet Laureate Advisory Committee is hereby established.	May 27, 2016	41 MoReg 828
<b>16-05</b>	Directs the Department of Public Safety, with guidance from the Missouri Veteran's Commission and the Adjutant General of the State of Missouri, to coordinate events with the World War I Centennial Commission that recognize and remember efforts and sacrifices of all Americans during World War I.	May 27, 2016	41 MoReg 826
<b>16-04</b>	Orders all departments, agencies and boards, and commissions, in the Executive Branch subject to the authority of the governor to take all necessary action to amend initial employment applications by removing questions related to an individual's criminal history unless a criminal history would render an applicant ineligible for the position.	April 11, 2016	41 MoReg 658
<b>16-03</b>	Extends Executive Orders 15-10, 15-11, and 16-02 until February 22, 2016, due to severe weather that began on December 22, 2015.	Jan. 22, 2016	41 MoReg 299
<b>16-02</b>	Gives the director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on December 22, 2015.	Jan. 6, 2016	41 MoReg 235
<b>16-01</b>	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	Jan. 4, 2016	41 MoReg 153

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